

Also, a bill (H. R. 11873) granting a pension to Margaret McGowan—to the Committee on Pensions.

By Mr. RIDGELY: A bill (H. R. 11874) granting an increase of pension to John Wintermote—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11875) granting a pension to Josiah T. McKee—to the Committee on Invalid Pensions.

By Mr. HENRY of Mississippi, from the Committee on War Claims: A resolution (H. Res. 274) referring the claim of William T. Trammell to the Court of Claims—to the Private Calendar.

By Mr. CALDWELL, from the Committee on War Claims: A resolution (H. Res. 275) referring the claim of John H. Redman to the Court of Claims—to the Private Calendar.

By Mr. SPALDING, from the Committee on War Claims: A resolution (H. Res. 276) referring the claim of the estate of August Herberlein to the Court of Claims—to the Private Calendar.

By Mr. HENRY of Mississippi, from the Committee on War Claims: A resolution (H. Res. 277) referring the claim of the estate of Cyrus Martin, deceased, to the Court of Claims—to the Private Calendar.

By Mr. CALDWELL, from the Committee on War Claims: A resolution (H. Res. 278) referring the claim of Benjamin F. Fox to the Court of Claims—to the Private Calendar.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN of Maine: Resolutions of A. Lincoln Post, No. 29, of Wells, Me., Grand Army of the Republic, favoring the establishment of a Branch Soldiers' Home for disabled soldiers near Johnson City, Tenn.—to the Committee on Military Affairs.

Also, petition of H. B. True and 50 other citizens of Pownal, Me., favoring the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

By Mr. BARTHOLOTT: Petition of the State League of Building and Loan Associations of Missouri, in favor of bill to celebrate the Louisiana purchase by a world's fair at St. Louis, Mo., in 1903—to the Special Committee on Louisiana Purchase Celebration.

By Mr. BROMWELL: Resolutions of the Chamber of Commerce of Cincinnati, Ohio, concerning the improvement of the Ohio River—to the Committee on Rivers and Harbors.

By Mr. BUTLER: Petition of the Woman's Christian Temperance Union of Berwyn, Pa., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, post exchanges, etc.—to the Committee on Military Affairs.

By Mr. CANNON: Petition of ex-Union soldiers of Plainfield, Ill., and vicinity, favoring the enactment of legislation granting a pension of \$30 per month to all who served ninety days or more in the military or naval service of the United States and are now suffering from permanent disabilities—to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of the Young People's Society of Christian Endeavor of Lower Big Creek, Monroe County, Wis., urging the enactment of the anti-canteen bill—to the Committee on Military Affairs.

By Mr. FINLEY: Petition of A. J. Evans and R. S. Beckham, of Rockhill, S. C., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. GRAHAM: Statement from auditor-general's office, Harrisburg, Pa., in explanation of the claim of the State of Pennsylvania for balance due for expenditures on account of the militia in the military service under the proclamation of the President of June 15, 1863—to the Committee on War Claims.

Also, petitions of the Central Presbyterian Church and Colonel John B. Clark Post, No. 162, Grand Army of the Republic, of Allegheny, Pa., urging the passage of House bill prohibiting the sale of liquor in Army canteens, Soldiers' Homes, reservations used by the Government, or in our new possessions—to the Committee on Military Affairs.

By Mr. JENKINS: Petitions of numerous citizens of the State of Wisconsin, to save Government lands in Wisconsin for actual settlers and stop the sale to speculators—to the Committee on the Public Lands.

By Mr. KAHN: Petition of the Mark Hopkins Institute of Art, favoring the passage of a bill to create a Capitol art commission, and for other purposes—to the Committee on the Library.

Also, petition of the executive committee of the Pacific Commercial Museum, favoring the passage of House bill relating to the Philadelphia museums, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. LANE: Petition of R. M. Smith Post, No. 269, Grand Army of the Republic, Department of Iowa, indorsing the bill to establish a Branch Home for disabled soldiers at or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. McRAE: Petition of Ex-Slave Association No. 654, of Carmel, Chicot County, Ark., asking for the passage of bill to pension ex-slaves—to the Committee on Pensions.

By Mr. MERCER: Resolution of the Union Commercial Club, of Lincoln, Nebr., in reference to House bill No. 887, relating to the Philadelphia museums, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. NAPHEN: Memorial of the American Association of China, in regard to consular reform—to the Committee on Foreign Affairs.

Also, petition of the Merchants' Association of the city of New York, protesting against the passage of the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Spanish war veterans of the District of Columbia, for an appropriation to build an addition to the hospital for persons unable to pay—to the Committee on Appropriations.

Also, petition of the American Chamber of Commerce of Manila, Philippine Islands, for the modification of hard and oppressive taxes—to the Committee on Ways and Means.

Also, resolutions of the Maritime Association of the Port of New York, in favor of Senate amendments to House bill No. 8347, restoring the appropriations for the maintenance of the Hydrographic Office—to the Committee on Naval Affairs.

Also, petition of Forest City Lodge, No. 10, Cleveland, Ohio, against any legislation regulating the manufacture of butterine—to the Committee on Agriculture.

By Mr. NEEDHAM: Petition of Woman's Christian Temperance Union of San Diego County, Cal., urging the enactment of a law forbidding the sale of intoxicating liquors in the Hawaiian Islands, Philippines, Porto Rico, and Cuba—to the Committee on the Territories.

By Mr. ROBERTS: Petitions of citizens of Chelsea, Mass., and Walnut Avenue Congregational Church, of Boston, Mass., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, post exchanges, etc.—to the Committee on Military Affairs.

By Mr. ROBINSON of Indiana: Petition of J. D. Campbell and 3 other druggists of Waterloo, Iowa, for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. SCUDDER: Petitions of Young People's Society of Christian Endeavor and Methodist Episcopal Church of East Hampton, N. Y., to amend House bill No. 5475, known as the anti-canteen bill—to the Committee on Military Affairs.

By Mr. SHAFROTH: Resolutions of Unity Church of Fort Collins, Colo., urging the enactment of a law forbidding the sale of intoxicating liquors in the Hawaiian Islands—to the Committee on the Territories.

By Mr. SLAYDEN: Petition of druggists of Boerne, Tex., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. TAWNEY: Petition of 160 citizens of West Concord, Minn., in favor of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. WEEKS: Petition of Fremont Center Grange, No. 654, Patrons of Husbandry, of Michigan, in support of House bill No. 3717, to control the sale of imitation dairy products; also in favor of Senate bill 1439, to vest additional authority in the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. WEYMOUTH: Petition of citizens of Groton, Mass., asking for the passage of the Bowersock bill—to the Committee on Military Affairs.

By Mr. YOUNG: Petition of Philadelphia Bourse, Philadelphia, Pa., favoring House bill No. 10301, relating to the pneumatic-tube service—to the Committee on the Post-Office and Post-Roads.

By Mr. ZIEGLER: Papers to accompany House bill increasing the pension of Mary A. Alwood, widow of William H. Alwood—to the Committee on Invalid Pensions.

SENATE.

FRIDAY, May 25, 1900.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. ALLEN. I ask unanimous consent that the further reading of the Journal be dispensed with.

Mr. CHANDLER. I object, Mr. President.

The reading of the Journal was resumed and concluded; and it was approved.

INTERPARLIAMENTARY UNION.

The PRESIDENT pro tempore. The Chair presents an invitation which perhaps it will be proper to have read.

The communication was read, and ordered to lie on the table and to be printed, as follows:

The Hon. WILLIAM P. FRYE,
President of the Senate of the United States.

SIR: As members representing the United States on the council of the Interparliamentary Union, we are authorized and requested to present to the members of the Senate and House of Representatives of the United States an urgent invitation to attend the tenth session of the Interparliamentary Union, which will be opened in Paris, in the senate chamber, at the Luxembourg Palace, July 31, 1900, and continue for several days.

The Interparliamentary Union is an international association, composed of members of the different national parliaments of the world. Its object is to promote the cause of international arbitration and the development of international law.

Any senator or member of the house of any national legislative body is eligible to membership and will be cordially welcomed at its sessions. Those Senators who are going abroad and may be able to attend the conference are requested to notify the Secretary of the Senate. Those who will not be able to attend in person the approaching session at Paris will have an opportunity shortly to join the American group of members of the Interparliamentary Union, and thus to place themselves in affiliation with the great body of European legislators, several hundred in number, representing the parliaments of eighteen different nations who believe in an appeal to arbitration whenever possible for the settlement of international difficulties.

Respectfully submitted.

RICHARD BARTHOLOTT.
S. J. BARROWS.

MAJ. H. M. ADAMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, calling attention to a discrepancy in the general deficiency appropriation bill authorizing the accounting officers of the Treasury to allow and credit in the accounts of Maj. H. M. Adams, Corps of Engineers, \$2,610.40, etc.; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

REPORT ON LABOR LEGISLATION.

The PRESIDENT pro tempore laid before the Senate a communication from the chairman of the Industrial Commission, transmitting the report of the Industrial Commission on labor legislation; which, on motion of Mr. KYLE, was, with the accompanying paper, referred to the Committee on Education and Labor, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7433) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1901, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 4560) to provide for officers in the customs district of Hawaii;

A bill (H. R. 8582) making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1901; and

A joint resolution (S. R. 76) withdrawing certain lands on the island of Oahu, Hawaii, from the public domain.

PETITIONS AND MEMORIALS.

Mr. CHANDLER presented a petition of sundry citizens of Trenton, N. J., and a petition of sundry colored citizens of the State of New York, praying for the enactment of legislation for the prevention of the denial or abridgment of the right of citizens of the United States to vote on account of color; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Candia, N. H., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange, canteen, or transport, or upon any premises used for military purposes by the United States; which was referred to the Committee on Military Affairs.

Mr. PERKINS presented petitions of the Sunday School Union of San Bernardino County; of the congregation of the Seventh Congregational Church; the Woman's Christian Temperance Union of San Francisco; of the congregation of the First Congregational Church of San Francisco; of the congregation of the Brooklyn Presbyterian Church, of Oakland, and of the congregation of the Methodist Episcopal Church of Redlands, all in the State of California, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens, etc.; which were referred to the Committee on Military Affairs.

He also presented petitions of the Young People's Society of Christian Endeavor and of the congregation of the Cumberland Presbyterian Church of Mountain View, of the Westminster Presbyterian Church of San Francisco, of the Woman's Christian Temperance Union of Oakland, of the congregation of the Advent Christian Church, of the superintendent of the Napa Presbyterian Sunday school, of the Young People's Society of Christian Endeavor, and of the congregation of the Evangelical Church of Napa, all in the State of California, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the newly acquired island possessions and in Army canteens; which were referred to the Committee on Military Affairs.

Mr. KYLE presented the petition of John J. Myles and sundry other druggists of Spencer, S. Dak., praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

Mr. PETTIGREW presented a petition of Local Assembly No. 3114, Knights of Labor, of Cora, Fla., representing 80 voters, praying for the public ownership of railways, telegraphs, and telephones, and for the passage of Senate bill No. 1770, relative to the acquisition, purchase, construction, and condemnation by the United States of railroads lying within the United States, the respective States, and the District of Columbia, engaged in interstate commerce, etc., and remonstrating against the passage of Senate bill No. 1439, to amend the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. FOSTER presented a petition of the congregation of the Congregational Church of North Yakima, Wash., praying for the enactment of legislation to protect State anti-cigarette laws and providing that cigarettes imported in original packages on entering any State shall be subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. LODGE presented resolutions adopted by Enterprise Council, No. 1, Junior Order United American Mechanics, of Haverhill, Mass., expressing sympathy for the people of South Africa in their struggle for freedom; which was referred to the Committee on Foreign Relations.

Mr. FRYE presented a petition of the Good Templars of the State of Maine, praying for the enactment of legislation to prohibit the transmission through the mail of any matter advertising the sale of intoxicating liquors; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the New York Preachers' Meeting of the Methodist Episcopal Church, praying for the enactment of legislation prohibiting American traders in the New Hebrides from giving or selling intoxicating liquors to the natives; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of North Jay, Me., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens, etc.; which was referred to the Committee on Military Affairs.

Mr. WOLCOTT. I present a petition, numerously signed by most responsible people in Colorado, praying for the passage of a bill now pending to set aside four townships in the Territory of New Mexico for the preservation of the buffalo, which are rapidly disappearing.

The PRESIDENT pro tempore. The petition will be referred to the Committee on Forest Reservations and the Protection of Game.

INDIAN DEPREDAATION CLAIMS.

Mr. CHANDLER. I present a letter from the Attorney-General to me, in answer to an inquiry concerning Senate bill 1005, Senate Report No. 1300, in reference to Indian depredation claims, which I ask may be printed as a document and referred to the Committee on Indian Depredations.

Mr. COCKRELL. I ask if that bill has not been reported and if it is not on the Calendar?

Mr. CHANDLER. The bill has been reported and it is on the Calendar, but I want the committee to consider this letter, for they may see fit to recall the bill.

Mr. COCKRELL. I hope the bill will not be called up, then, in the absence of the Senator who has submitted this document for publication.

The PRESIDENT pro tempore. If there be no objection, the letter will be printed as a document and referred to the Committee on Indian Depredations.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 10082) granting an increase of pension to Lewis Oliver, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 4771) granting an increase

of pension to Gilbert F. Colby, to report it favorably without amendment, and I submit a report thereon. As this bill was mislaid and ought to have been reported two weeks ago, I ask for its immediate consideration. It will take but a moment.

Mr. ALLEN. Is that to be followed, I should like to inquire, by the passage of other bills?

Mr. GALLINGER. This is simply a report I have just made of a pension bill, which was mislaid in my committee room. It is a Senate bill, and I should like to have it passed.

Mr. ALLEN. I have several private bills that I would like very much to have passed.

Mr. TELLER. This is a Senate bill?

Mr. GALLINGER. It is a Senate bill.

Mr. TELLER. It may not be worth while to pass it now. I gave notice last night that I was going to object to business being interjected into the regular order. I shall not object to this bill because it is a pension bill, but to the next request I shall object.

The PRESIDENT pro tempore. If there be no objection, the bill will be read to the Senate for its information.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. ALLEN. I wish to say a word before that bill is laid before the Senate. I do not want to object to it if I can avoid it, but I have a bill here that I tried to get up yesterday and I was taken from the floor by another measure after I had been recognized for that purpose. It is a bill where the recipient of the pension is an old lady, well advanced in years, and is liable to die at any time. I should like to have that bill passed. I do not think the morning hour ought to be consumed in this way unless—

Mr. GALLINGER. Let the bill go to the Calendar.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. ALLEN, from the Committee on Pensions, to whom was referred the bill (H. R. 5673) granting an increase of pension to Ellen A. Spalding, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 2694) granting a pension to Maggie D. Chapman, reported it with amendments, and submitted a report thereon.

Mr. ALLEN. I desire to state that I do not object to taking up the bill which the Senator from New Hampshire reported.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 11650) relating to certain railway corporations owning or operating street railways in the District of Columbia, to report it without amendment.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. McMILLAN. I move that the bill (S. 4781) relating to certain railway corporations owning or operating street railways in the District of Columbia, being Order of Business 1362 on the Calendar, be postponed indefinitely, and that the House bill just reported by me be given the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 10740) to regulate the grades of Twentieth street, and for other purposes, to report it without amendment.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. McMILLAN. I move that the bill (S. 4193) to regulate the grades of Twentieth street, and for other purposes, being Order of Business 1078 on the Calendar, be postponed indefinitely, and that the House bill just reported by me be given the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 8665) authorizing and requiring the Metropolitan Railroad Company to extend its lines on old Sixteenth street, to report it with amendments, and to submit a report thereon.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. McMILLAN. I move that the bill (S. 3663) authorizing and requiring the Metropolitan Railroad Company to extend its lines on old Sixteenth street, being Order of Business 1077 on the Calendar, be postponed indefinitely, and that the House bill just reported by me be given the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. McMILLAN, from the Committee on Commerce, to whom was referred the bill (H. R. 11646) making provision for emergencies in river and harbor works, for certain surveys, and for the

diversion of certain appropriations or modification of provisions heretofore made, reported it with amendments.

He also, from the Committee on the District of Columbia, reported an amendment proposing to appropriate \$25,000 for grading and paving Connecticut avenue (extended) between Columbia road and Kalorama avenue, intended to be proposed to the general deficiency appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, reported an amendment proposing to appropriate \$175 to pay W. B. Moses & Sons the difference in price between the bill as rendered to pay for blueboards for the Western High School, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, reported an amendment proposing to appropriate \$9,000 for the purchase of not less than 6 acres of land suitable for the uses of a pound for dogs and strayed animals, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 8686) granting a pension to James A. Tulloss, reported it without amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the amendment submitted by Mr. MONEY on the 18th instant, proposing to appropriate \$12,000 for curbing and paving S street, in the District of Columbia, from Phelps place westward to Massachusetts avenue, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. SULLIVAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 9827) to close all alleys in block 3 of the Walbridge subdivision of Ingleside, in the county of Washington, reported it without amendment.

Mr. CLAY, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 10308) to extend to certain publications the privileges of second-class mail matter as to admission to the mails, reported it without amendment, and submitted a report thereon.

Mr. KYLE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4898) granting a pension to Frank A. W. Shaw; and a bill (H. R. 4991) granting a pension to Maria V. Sperry.

Mr. McBRIDE, from the Committee on Commerce, reported an amendment proposing to appropriate \$3,097.41 to pay Edward Bedloe, late consul-general of the United States at Canton, China, being the amount of salary still unpaid, from December 8, 1898, to January 15, 1900, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be printed and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

Mr. GALLINGER, from the Committee on the District of Columbia, reported an amendment intended to be proposed to the bill (H. R. 8498) to amend an act entitled "An act to authorize the reassessment of water-main taxes in the District of Columbia, and for other purposes," approved July 8, 1898; which was ordered to lie on the table and be printed.

Mr. WOLCOTT, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 4099) for the relief of the Marion Trust Company, administrator of the estate of Samuel Milliken, deceased, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

SENATOR NATHAN B. SCOTT AND JOHN T. M'GRAW.

Mr. GALLINGER. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. McCOMAS on the 19th instant, to report it with amendments and to ask that it be referred to the Committee on Appropriations. I should like to have the amendments first adopted.

The Senate, by unanimous consent, proceeded to consider the resolution; which was read, as follows:

Resolved, That there be paid out of the contingent fund of the Senate the sum of \$2,850 to NATHAN B. SCOTT, a Senator from the State of West Virginia, in reimbursement of expenses necessarily incurred by him in defense of his title to his seat; and also that there be paid out of the same fund \$2,850 to JOHN T. M'GRAW for expenses incurred by him and other remonstrants contesting the seating of Senator NATHAN B. SCOTT. These payments are appropriated as full and final compensation for all expenses, cash and counsel fees incurred by the parties.

The amendments of the committee were, in line 1, to strike out

the words "out of the contingent fund of the Senate;" and in line 6 to strike out the words "out of the same fund."

The amendments were agreed to.

The PRESIDENT pro tempore. As amended, the resolution will be referred to the Committee on Appropriations.

Mr. COCKRELL. And printed.

The PRESIDENT pro tempore. It will be printed.

GILBERT F. COLBY.

Mr. GALLINGER. Mr. President, the Senator from Nebraska suggested that he did not object to the consideration of the bill which I reported a few minutes ago. The Senator from Colorado likewise agrees that it shall be acted upon. I ask consent that it be put upon its passage.

The PRESIDENT pro tempore. The bill was read to the Senate. Is there objection to its present consideration?

There being no objection, the bill (S. 4771) granting an increase of pension to Gilbert F. Colby was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Gilbert F. Colby, late of Company L, First Regiment New Hampshire Volunteer Heavy Artillery, and to pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JULIA M'N. HENRY.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1781) granting an increase of pension to Julia MacN. Henry, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to an amendment, as follows: In lieu of the sum proposed by the House insert "seventy-five;" and the House agree to the same.

J. H. GALLINGER,
GEORGE L. SHOUP,
GEORGE TURNER,
Managers on the part of the Senate.
H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

The report was agreed to.

ELLA COTTON CONRAD.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1619) granting an increase of pension to Ella Cotton Conrad, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to an amendment as follows: In lieu of the sum proposed by the House insert "forty;" and the House agree to the same.

J. H. GALLINGER,
GEORGE L. SHOUP,
GEORGE TURNER,
Managers on the part of the Senate.
H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

The report was agreed to.

MARGARET E. VAN HORN.

Mr. SHOUP submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 207) granting an increase of pension to Margaret E. Van Horn, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to amendments as follows:

In lieu of the sum proposed by the House insert "forty."

In line 9, after the word "receiving," insert "and \$2 per month additional on account of each of the two minor children of said James J. Van Horn until such children shall arrive at the age of 16 years."

And the House agree to the same.

GEORGE L. SHOUP,
JAMES H. KYLE,
GEORGE TURNER,
Managers on the part of the Senate.
H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

The report was agreed to.

BILLS INTRODUCED.

Mr. MORGAN. I introduce a bill. I do not know exactly to what committee to send it. It is a bill to fix the place of venue, trial, and punishment for crimes against the United States of

America committed not within a State, as it is provided may be done in Article III, section 2, of the Constitution of the United States.

This bill was prepared by a learned lawyer in the District of Columbia, and it seems to me to unlock entirely the difficulty that we are in about the extradition of offenders against the laws of Cuba from New York, for instance, to that island for trial. I suppose it goes to the Judiciary Committee.

The bill (S. 4839) to fix the place of venue, trial, and punishment for crimes against the United States of America committed not within a State, as it is provided may be done in Article III, section 2, of the Constitution of the United States, was read twice by its title, and referred to the Committee on the Judiciary.

Mr. FRYE introduced a bill (S. 4840) granting a pension to Mary E. Frost; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4841) granting an increase of pension to George A. Parker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WOLCOTT introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4842) granting a pension to James A. Davis (with an accompanying paper);

A bill (S. 4843) granting an increase of pension to Abraham N. Cassell (with an accompanying paper); and

A bill (S. 4844) granting an increase of pension to Henry G. Mechling.

Mr. MONEY introduced a bill (S. 4845) for the relief of W. S. Bunch; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4846) for the relief of the estate of Dr. O. L. Dewees, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. THURSTON introduced a bill (S. 4847) granting an increase of pension to Benjamin F. Chambers; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHANDLER introduced a bill (S. 4848) for the relief of the devisees of Casper Barber and their assigns from the operation of the act restricting the ownership of real estate in the Territories and the District of Columbia to American citizens; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MARTIN introduced a bill (S. 4849) permitting building a dam across New River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CLAY introduced a bill (S. 4850) to refer the claim of Edward Gallaher, deceased, late of Richmond County, Ga., to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. SHOUP submitted an amendment proposing to appropriate \$250 to pay for services rendered in preparing and furnishing a revised and complete index of the war-revenue law, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Printing, and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to appropriate \$3,347.25 to reimburse the Washington Market Company for expenses incurred in fitting and repairing quarters by the National Guard of the District of Columbia, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CLARK submitted an amendment proposing to appropriate \$304.51 to pay Augustus L. Coleman, of Wyoming, for surveys of public lands executed by him under his contract with the surveyor-general of Wyoming, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. RAWLINS submitted an amendment proposing to appropriate \$367.10 for payment to J. T. Breckon for surveying in excess of contract, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

CASUALTIES AMONG THE FILIPINOS.

Mr. PETTIGREW. I submit a resolution, and ask for its immediate consideration.

The resolution was read, as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to inform the Senate of the number of the people of the Philippine Islands that have been killed by our armed forces since February 5, 1898; also the number wounded by us, and the number of prisoners taken.

Mr. CHANDLER. I ask that the resolution may go over.

The PRESIDENT pro tempore. The resolution will go over.

Mr. PLATT of Connecticut. I should like to suggest to the Senator from South Dakota, with reference to the resolution, that I think that very information was called for in the resolution of the Senator from Delaware [Mr. KENNEY]. If he will examine that resolution—

Mr. PETTIGREW. The resolution submitted by the Senator from Delaware covers a great many other questions, and I thought that perhaps we would adjourn before we could get a reply; but it seemed to me that we might get a reply to this one simple question very quickly. That is the reason why I have offered the resolution.

MESSAGES AND PAPERS OF THE PRESIDENTS.

Mr. GALLINGER submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 6,000 additional copies of the document known as Messages and Papers of the Presidents, of which 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives, the remainder, if any, to be held by the Superintendent of Documents, subject to the future action of Congress; and

Resolved further, That an edition of 10,000 copies be printed, to be held by the Superintendent of Documents and by him sold at the actual cost of publication.

LIST OF JUDGMENTS AND CLAIMS ALLOWED.

Mr. HALE. I submit three resolutions, which I wish to have passed in the interest of the dispatch of the business of the Senate. The PRESIDENT pro tempore. Does the Senator ask for their present consideration?

Mr. HALE. Yes.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate a schedule of all claims allowed by the accounting officers of the Treasury under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, since the allowance of those heretofore reported to Congress at the present session, up to and including May 29, instant; also a list of judgments rendered by the Court of Claims not heretofore reported to Congress.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Attorney-General be directed to transmit to the Senate a list of judgments rendered against the United States by the circuit and district courts of the United States under the provisions of the act to provide for bringing suits against the Government of the United States, approved March 3, 1887, not heretofore reported to Congress.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Attorney-General be directed to transmit to the Senate a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredation cases requiring an appropriation by Congress, not heretofore reported at the present session.

READJUSTED SALARIES OF POSTMASTERS.

Mr. ALLEN. I submit a resolution, for which I ask present consideration.

The resolution was read, as follows:

Resolved, That the Postmaster-General be, and he hereby is, directed to report upon a schedule or schedules to the Senate the readjusted salaries of all postmasters who served in the States below named between July 1, 1864, and June 30, 1874, where application for readjustment of salaries under chapter 119 of the laws of 1883 were made to the Postmaster-General prior to January 1, 1887, each such readjusted salary account to conform in all respects to the decision of the Court of Claims on April 2, 1900, of the claim of William T. Ewing vs. The United States and to the public construction of said act of March 3, 1883, by the Postmaster-General embodied in and set forth in Finding VI of the Court of Claims, in the case William T. Ewing. Reports of such accounts are required of claims from the following States, viz: California, Colorado, Connecticut, the two Dakotas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

Mr. CHANDLER. I ask the Senator if he has any objection to having the resolution referred to the Committee on Post-Offices and Post-Roads, as other resolutions of that kind have been referred.

Mr. ALLEN. I understand that a resolution of this kind is before the Committee on Post-Offices and Post-Roads.

Mr. CHANDLER. But this is an additional resolution of the same sort.

Mr. ALLEN. The Committee on Claims has many of these claims before it, and if the resolution is referred at all, I want it to go to the Committee on Claims, where these matters are pending.

Mr. CHANDLER. I have no objection to a reference of the resolution, but I object to its present consideration.

Mr. ALLEN. Let it be referred, then, to the Committee on Claims.

Mr. HALE. Let me ask the Senator if the resolution covers what are well known as the Spaulding claims.

Mr. COCKRELL. Certainly.

Mr. ALLEN. I do not know whether they are those claims or not. They are claims which are embraced in the decision of the Court of Claims in a suit against the United States.

Mr. HALE. I take it they are what are known as the Spaulding claims. I have no objection to the resolution going to the committee to be investigated. They have been investigated and reinvestigated and both the Department and Congress have tried to put a quietus to them.

Mr. ALLEN. The Court of Claims has held these claims to be valid.

Mr. HALE. It may be claimed that there is some decision on which they are based, but all that has been considered heretofore and Congress has passed time and again against them. However, I do not object to the resolution going to the committee.

Mr. ALLEN. On the 2d of April last the Court of Claims in the case of William T. Ewing vs. The United States decided these claims to be valid. Now let the resolution go to the Committee on Claims where these matters are pending.

The PRESIDENT pro tempore. If there be no objection, the resolution will be referred to the Committee on Claims.

POST-OFFICE APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives, disagreeing to the amendments of the Senate to the bill (H. R. 10301) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1901, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WOLCOTT. I move that the Senate insist upon its amendments disagreed to by the House of Representatives, and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. WOLCOTT, Mr. CHANDLER, and Mr. BUTLER were appointed.

SENATOR FROM MONTANA.

Mr. MORGAN. Mr. President—

Mr. CARTER. If the Senator from Alabama will yield for a moment for the presentation of a paper, I will be obliged to him. The PRESIDENT pro tempore. Does the Senator from Alabama yield?

Mr. MORGAN. For what purpose?

Mr. CARTER. I desire merely to present a communication from the governor of Montana, to be laid on the table.

Mr. MORGAN. Certainly.

Mr. CARTER. I present a certificate from the governor of the State of Montana, dated the 19th day of May, appointing Martin Maginnis to fill a vacancy in the Senate of the United States. I request that the certificate be read and laid on the table.

The Secretary read as follows:

In the name and by the authority of the State of Montana.

To all to whom these presents shall come, greeting:

Whereas a vacancy has happened in the representation of the State of Montana in the Senate of the United States by reason of the resignation of William Andrews Clark; and

Whereas the legislature of said State of Montana is not in session, but in recess;

Therefore, know ye, that I, Robert B. Smith, governor of the State of Montana, by virtue of the authority in me vested by the Constitution and laws of the United States, do hereby appoint Martin Maginnis, a citizen of the United States and an inhabitant of the State of Montana, to be United States Senator for said State of Montana, to fill said vacancy caused as aforesaid; and by virtue of the authority in me vested as aforesaid I do commission him, the said Martin Maginnis, to be United States Senator for Montana, hereby authorizing and empowering him to execute and discharge all and singular the duties appertaining to said office, and to enjoy all the privileges and immunities thereof, until the next meeting of the legislature of said State.

In witness whereof, I have hereunto set my hand and caused the great seal of the State to be affixed at Helena, the capital, this 19th day of May, A. D. 1900.

[SEAL.]

By the governor:

T. S. HOGAN, Secretary of State.

ROBT. B. SMITH.

The PRESIDENT pro tempore. If there be no objection, the certificate will be received, and, at the request of the Senator from Montana, it will lie on the table.

Mr. CHANDLER. In regard to this same subject-matter I ask the Senator from Alabama to yield to me for a moment. I submit a resolution, which I ask may be read and laid on the table.

The resolution was read, as follows:

Resolved, That the credentials showing the appointment as Senator from the State of Montana of William A. Clark, signed by Acting Governor A. E. Spriggs, and the credentials showing a like appointment of Martin Maginnis, signed by Governor Robert B. Smith, be taken from the table and referred to the Committee on Privileges and Elections, and that said committee be directed to inquire whether either of said appointees has been duly and legally appointed to a seat in the Senate as Senator from said State of Montana; and if so, to report which of said appointees is entitled to be admitted to the seat.

The PRESIDENT pro tempore. According to the request—
Mr. CHANDLER. Let it be laid on the table.
The PRESIDENT pro tempore. Without objection, the resolution will lie on the table.

CLASSIFICATION OF POST-OFFICE CLERKS.

Mr. WOLCOTT. I move that the bill (S. 4163) for the classifications of clerks in the first and second class post-offices, reported yesterday by the Senator from Delaware [Mr. KENNEY] from the Committee on Post-Offices and Post-Roads, be recommitted to that committee. It was reported without amendment and with a report submitted.

Mr. CARTER. I take it that it would be better to wait until the Senator from Illinois [Mr. MASON], who is the author of the bill, and the Senator from Delaware, who reported it, can be heard in reference to it. Both are absent from the Chamber, I observe.

Mr. WOLCOTT. I have looked for the Senator from Delaware, and I am compelled to go into conference at 1 o'clock. The bill has evidently been reported by inadvertence, for my information that the bill was reported I get from the RECORD this morning. The bill has never been considered in the Post-Office Committee. I desire to enter a motion, in any event, to reconsider; and if there is objection made, I will call up the motion later.

The PRESIDENT pro tempore. Is there objection?

Mr. CARTER. I object to action at the present time.

GOVERNMENT OF THE PHILIPPINE ISLANDS.

The PRESIDENT pro tempore. The morning business is closed, and the Chair lays before the Senate Senate bill 2355.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2355) in relation to the suppression of insurrection in, and to the government of, the Philippine Islands, ceded by Spain to the United States by the treaty concluded at Paris on the 10th day of December, 1898.

Mr. MORGAN. Mr. President, while I agree with the Senators from Massachusetts [Mr. LODGE] and Wisconsin [Mr. SPOONER] in much they have said as to the rights of the United States in the Philippine Islands, in their discussion of matters that are not strictly relevant to the merits of this bill, I differ from them in reference to any necessity that exists for its enactment into law, and as to its merits in a constitutional sense, or as a wise policy to be now adopted.

I agree with those Senators that our title to the Philippine Islands, acquired by cession from Spain, is clear and unquestionable.

The Crown and Government of Spain was sovereign over those islands, and she had the right to cede them and we had the right to accept the cession.

These rights have not been questioned by any government in the world.

Aguinaldo, a self-constituted dictator, and his personal followers assumed the rôle of representatives of the whole people of these islands, and proclaimed a government there in opposition to Spanish rule, which they sometimes allude to as a republic.

This pretension has not received any recognition from Spain, the former sovereign, or from the United States, the present sovereign, or from any nation in the world.

No nation can exist as a body politic or corporate without such recognition, and, until it is so recognized in some form, those who claim such authority are only a private association of persons incapable of making treaties that are based on sovereign powers, and have none of the immunities or responsibilities of governments.

When Dewey occupied the bay and harbor of Manila with his conquering fleet, he made a date at which the sovereignty of Spain over the Philippine Archipelago ceased, and from that date the sovereignty of Spain ceased. After that date no decree of Spain subsequently rendered could have effect to control the rights of those people.

By relation to that date, all the sovereign rights of Spain ceased in those islands, through the subsequent and conclusive events of the war. The truce protocol of August 12, 1898, and the treaty of Paris, ratified on February 6, 1899, confirmed Dewey's conquest of May 1, 1898, as terminating the sovereign power of Spain over the Philippine Archipelago.

Sovereignty is never in abeyance as a matter of law. It exists in the power that governs the country, either de facto or de jure, and this rule is made inviolable in the laws of nations, because it is necessary to preserve the lives of the people against the revenges and cruelties that sometimes attend the occupation of a country by successive conquerors.

All the people in all the islands who were subjects of Spain were the public enemies of the United States when Dewey entered Manila Bay; but after that event no subject of Spain could be guilty of constructive treason to the Spanish Crown for obeying the or-

ders of Dewey, because he had the actual power to compel their obedience. He established there the flag and the rightful jurisdiction of the United States, as far as his power of military command was effectual.

As this area was enlarged by the extension of our military command, so the sovereign jurisdiction of the United States extended and was enlarged by conquest, and it was never for one moment relinquished to Spain or to Aguinaldo, or his army, nor did it ever cease.

Aguinaldo was not within this conquered area when Dewey captured it, nor was there any pretense of a Tagalog government there, or anywhere in the Philippines, on the 1st of May, 1898.

Aguinaldo was then at Singapore enjoying the price that Spain had paid him in 1897 for the surrender of his former authority as a rebel chief and his insurrectionary forces and their arms, ammunition, and equipments, under the capitulation at Biac-nabato, and his former associates were at work in their fields. When Aguinaldo afterwards came to Manila Bay and was permitted to go to Cavite, he entered within our sovereign jurisdiction and limits with the permission of the United States, and not as the head of a government. Under that permission and with our authority and assistance he enlisted troops to aid the United States in making war on Spain.

The capture of Manila was the objective point in our military plans, and our soldiers and war ships were fully equal to that task, as the sequel proved; and our arms commanded the fields in which Aguinaldo's troops were held to aid that purpose. Before the capture of Manila his ambition had been stirred by some military successes against the Spaniards, and he secretly resolved to betray the misplaced confidence of the United States; to make war upon us, and make himself the master of Luzon and other islands.

For this purpose he proclaimed a republic, as dictator, backed by armed forces, and this was the object of his so-called republic, born of military dictatorship.

In this new rôle he revealed himself as a traitor to the faith of a soldier, which he openly violated, and to his treaty engagement with Spain, under which he had received \$400,000 of the \$1,000,000 promised him by that Government.

If Admiral Dewey and the commander of the army had permitted Aguinaldo to set up a sovereign and independent government within the area that was commanded by our arms and was held under our flag, they would have been traitors to the United States.

It is the very height of absurdity to attempt to lay the foundations of a Tagalog government upon imputations that would disgrace our military and naval commanders at Manila and would compel the United States, from a sense of decent self-respect, to disregard their recognition of such a government, and would put them, along with Aguinaldo, if we could catch him, in chains for a treasonable conspiracy against the United States.

If such a transaction had occurred within a State of this Union, it would not be a more flagrant act of treason than the alleged authority given to Aguinaldo to organize a free, sovereign, and independent republic on territory that we were engaged in subjugating, and had in fact conquered from Spain.

There is not the least ground for any such a suspicion about the conduct of the noble and heroic men who then commanded our military and naval forces at Manila.

This groundless and derogatory assertion, based upon these false accusations, often repeated, but denied by the accused officers in the most solemn manner, on their honor as sailors and soldiers, is the only basis for the claim preferred by the friends of Aguinaldo in the Senate that this adventurer and self-convicted traitor was, with the consent of our consul at Singapore and of Admiral Dewey and General Merritt, placed at the head of a Tagalog republic in the Philippine Islands.

This baseless fabric of a perverted vision is seriously urged in the Senate as the foundation for the claim that we should surrender the Philippines, and all the people and property there, to be looted by Aguinaldo and his banditti.

It is too clear for successful contradiction or reasonable doubt that Aguinaldo made a demand on General Merritt that his soldiers should enter Manila with our army, or ahead of it, that they might share in the booty and the shame of the looting of that great city. His half Chinese and half Tagalog blood ran hot in his veins, exciting him to mercenary spoils and desperate revenge against the Spanish people in Manila. It was to prevent the probability of such devastation that the protocol of truce with Spain was made to contain this solemn and necessary pledge:

ART. 3. The United States will occupy and hold the city, bay, and harbor of Manila, pending the conclusion of a treaty of peace which shall determine the control, disposition, and government of the Philippines.

This guarded provision was one of the bases of the treaty of peace with Spain, put in this protocol for the purpose of preventing Aguinaldo from acquiring the possession of that city by any

possible military or other agreement with us, and to prevent the looting, which he had demanded from our soldiers in the field, the right to perpetrate upon that city.

That stipulation on our part, Mr. President, has compelled us from the date of the signature of that protocol down to this date to hold the possession of those islands, and to hold, especially, possession of Manila, so as to protect the vast amount of property and the numerous people of foreign nationality who were then residing in that city against the marauds of Aguinaldo.

In this truce with Spain we covenanted to protect Manila against that dreadful fate.

Under this engagement we would have disgraced ourselves with all Christendom had we yielded to his demand to loot Manila.

At the same period our Army and Navy were invading Cuba. We found there an organized republic, and armies fully organized and well equipped, that had been in the field and engaged in open war with Spain, which they had conducted with increasing success for more than two years.

The armies were led by Gomez, and had been supplied with arms, supplies of food, and with recruits from Florida. They joined us as cooperative military forces in the war with Spain, and fought in the lines with our troops, under Garcia, at San Juan and on other battlefields. They did not demand, and we did not accord to that republic and those armies, any recognition as a political organization.

When the war ended, we disarmed and disbanded these armies.

The contrast in the conduct of the two military leaders brings into a clear light the wicked folly of Aguinaldo as compared with the honorable statesmanship of Gomez.

Cuba, under the leadership of Gomez, is moving quietly and firmly toward the goal of a proud independence as a separate power, or, according to her choice, to a higher and better assured independence as a sovereign State in the American Union, as Hawaii is doing; while Aguinaldo is inciting and leading the Tagalogs into internecine war, with murderous forays of bushwhackers and bandits, refusing to accept the sovereignty of the United States and the practical self-government of a Territory of the United States.

It is his obstinacy, sustained by false hopes of aid from our political divisions in Congress, that keeps the universal malice of Aguinaldo in deadly conflict with peace, honor, and free government.

I do not in the least degree share the opinions of those who desire for the Tagalogs higher or better securities for free government than our people enjoy in the States and Territories of the American Union. I doubt the sincerity of any American who demands for Aguinaldo a higher condition of state, or a higher range of power, than is in reach of an honorable American, with the consent of the people.

I take occasion to repeat what I have before said in the Senate, that an American Territorial government differs from all other dependent governments. It is peculiar to our system and, next to a State of the Union, is the best government in the world.

No thoughtful man and no political party seems to be ready to withdraw from the Philippine Islands and leave those people to their own government and to the gratification of their hatreds and revenges, or to leave those of other nationalities without the security we have engaged to give them in the treaty of Paris. If we are not now ready for this fatuous step, when shall we be ready?

I profess no spirit of prophecy that will compass this question and give the answer. My duty is plain, under the sanctions of my oath, and I will follow it. It is that in every vote that I shall give in the Senate on this subject I will obey the injunction of section 4, Article IV of the Constitution, which is that "The United States shall guarantee to every State in this Union a republican form of government."

Here and in the third article expansion is provided for and imperialism is forbidden. Expansion is provided for in the third article by giving Congress the power to admit new States into this Union. In *Texas vs. White* the Supreme Court decided that those words in the Constitution did not relate to organized States within the political union that we have established here of sovereign States, but related to all States, all bodies politic, that might come within the jurisdiction and power of the United States. The interpretation of that article of the Constitution is fixed, and when it speaks of the power to admit new States it means the power also to admit new territory into that form of statehood.

That is settled by that decision. And when the fourth section of the fourth article of the Constitution provides the further guaranty that the United States—not Congress, not the Supreme Court, not the President, but the whole sovereignty of the United States—shall guarantee to every State in this Union a government republican in form, that is the proudest and the grandest guaranty that any people have ever yet been able to give and to enforce in favor of those who at the time were not members of their

political community, but who, by the invitation of our success and by the splendor of our progress, might be induced to come within the Union and participate with us, if we are willing, in the benefits of the splendid republican institutions which we possess and our fathers have ordained.

I was in favor of the ratification of the treaty of Paris and still adhere to that conviction of duty. I believe that it is the most advantageous treaty, next to our treaties of annexation of territory from Mexico, that the United States concluded in the nineteenth century. I am proud of the motives and of their heroic support by our Army and Navy that forced this treaty from an arbitrary, cruel Spanish Bourbon despotism and again opened the way for our republican institutions.

I welcome this open door of relief to the people of the South, especially, in their honorable struggles to repair the losses and humiliations of the war between the States, and I honor the President and our commissioners for leading us in this course of national duty to a glorious result.

I am proud that our distinguished party leader, Mr. Bryan, came to Washington to urge the Democrats of the Senate to ratify the treaty of Paris and to bid us not to stultify ourselves with needless fears, because its ratification would open to the absolutists another opportunity to test the courage and sincerity of the grand Democracy.

If I had opposed the treaty of Paris because it opened this door to imperialism, if the absolutists were able to force us through it, I would have accepted that danger rather than open afresh the wounds of the war that were closed by the truce with Spain six months before the vote was taken in the Senate on its ratification.

Neither could I refuse the happy result that brought to our people a new and splendid opportunity to again expand their influence to the distant islands of the Pacific Ocean that had so nobly inspired Mexico and all of Central and South America to redeem themselves from the thralldom of this same Spanish Bourbon despotism. The blessing of Heaven has followed our influence in all these regenerated countries, and I thank God for their deliverance. I could not do that and refuse to thank Him for the deliverance of the Philippines.

I am satisfied that the President is conducting civil and military government in the Philippines with good success and under powers, derived from the Constitution, speaking through the laws of nations, that are ample for the occasion.

It is dangerous to change these powers for such other powers as only the authority of local self-government can adequately supply, or safely administer, until such time as Congress can provide complete Territorial government for all the Philippine Islands.

At this point my convictions force me into differences with the Senators who support this measure, and I will proceed to state some of the leading points as to which we differ.

If I thought it was treating absent Senators with proper courtesy, I should now ask unanimous consent to take up the Nicaraguan Canal bill sent to us from the House of Representatives, and put it on its passage by 8 o'clock to-day, cutting off debate thereby at that hour, in order that we might fulfill a very much higher duty to the people of the United States than possibly can be performed by keeping before this body, as has been done for fifty continuous days, this bill as the regular order of the Senate.

In order that we may understand now distinctly what this bill means I will read it:

That when all insurrection against the sovereignty and authority of the United States in the Philippine Islands, acquired from Spain by the treaty concluded at Paris on the 10th day of December, 1898, shall have been completely suppressed by the military and naval forces of the United States, all military, civil, and judicial powers necessary to govern the said islands shall, until otherwise provided by Congress, be vested in such person and persons, and shall be exercised in such manner as the President of the United States shall direct for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion.

It was said by the Senator from Wisconsin on yesterday in his closing remarks that this bill was predicated upon the statute of October 31, 1803, and has been followed up by an act of the last Congress annexing the Territory of Hawaii to the United States and making similar provisions. Mr. President, as to this act of 1803, which was signed by President Jefferson, and which therefore has the imprimatur of one of the greatest names in American legislative history, I wish to call attention to a very strong dissimilarity in the surrounding conditions.

The Louisiana Territory had been acquired by treaty, which had been ratified by the Senate of the United States. Mr. Jefferson doubted whether the powers of the Government of the United States extended to the acquisition of that territory. After getting the better of his doubts, he very wisely and opportunely for the Government of the United States made the treaty. Then it was necessary to make some provision for the government of that Territory.

The old Confederation had acquired from Virginia by cession the great Northwest Territory under an engagement to create

there several States, as the population of the respective areas might be sufficient. They provided this form of a Territorial government, to which I referred a moment ago—a peculiar institution of American constitutional law for the government of that Territory.

This was done in the Congress of the Confederation. Some two years after that time we accepted by an act of Congress all that had been done and legislated upon for those Territories, changing only a single provision in the statute, which authorized the President of the United States to nominate and the Senate to act upon the nominations to office within that great area. That was the first act of Territorial organization. The Louisiana Territory was the second practical act. There had been an interposing act in regard to the territory south of the Ohio River, adopting the act for the government of the Northwestern Territory.

The laws of Spain and the laws of France and the international law all obtained in the Territory of Louisiana, according as they had been adopted by the authorities there from time to time. There was a medley of laws and very serious legal embarrassment in the administration of that government. So this act of Congress of the 31st of October, 1803, was provided, under which the President of the United States was authorized to take possession and occupy the territory ceded by France to the United States by treaty. Now, mark the difference. The act of 1803 provides—

That until the expiration of the present session of Congress, unless provision for the temporary government of the said Territories be sooner made by Congress, the military, civil, and judicial power exercised by the officers of the existing government of the same shall be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberties, property, and religion.

This proposed act copies that language, but it omits to put in the very essential provision "until the expiration of the present session of Congress." Congress by that act of 1803 devolved upon certain agents of its own, to be designated by the President, the power to conduct government in the Louisiana Territory until the end of that session; but no man can find there any purpose of Congress to delegate to the President of the United States a permanent authority to use at his discretion the executive, legislative, and judicial powers conferred upon the different departments of this Government by the Constitution of the United States.

That act is no precedent to control us in the present situation. On the contrary, it is a warning, an admonition to us that in bestowing upon the President any powers whatever he shall be kept continuously under the hand of Congress, not turned loose as an emperor to exercise his own sweet will and any powers that he may find in the Constitution of the United States or outside of it.

It is a great mistake, Mr. President, and it illustrates exactly the difference between those statesmen in this country who are willing to concede the powers of absolutism to the President of the United States and those who uphold the doctrine that the Constitution of the United States cuts off all imperialism and all absolutism, and that the Congress of the United States is the true governing power in its legislative function.

This bill is the supreme expression and the crown jewel of absolutism. It confounds and abolishes the distinctions and destroys the boundaries that separate between the legislative, executive, and judicial departments of the Government as they are established in the Constitution, and it concentrates all the powers of government in the hands of the President, to be exerted by him, in his own discretion, and without responsibility.

It gives him "all military, civil, and judicial powers necessary to govern" the Philippine Islands, "to be vested in such persons and exercised in such manner as the President shall direct," of course, from time to time, thereby taking away from the Senate of the United States the power to confirm or reject his nominations to office. The only restraint in this bill is that these powers shall be exercised "for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion."

Spain left an established religion there which was a part of the government. It left an established church there, and ruled the Philippine Islands more through the priesthood than it did through any other class of public functionaries. Could not this bill be properly interpreted upon its face to confer upon the President of the United States not only the power but the duty of preserving the established religion in the Philippines? Suppose it was according to his conviction or according to his view of right and ecclesiastical as well as civil polity that he should maintain the same sovereignty over the Filipino as he found Spain exercising when we entered those islands; what is there in this bill to restrain him? On the contrary, are there not expressions here which clearly indicate the intention to compel him to maintain that established religion?

I have deplored the introduction of this measure and the aggressive way in which it has been pressed upon the reluctant consideration of the Senate by the fiat of a committee on the order of

business, called "the steering committee"—a partisan committee—in which the minority in the Senate have no voice, and their views of public policy and national duty are scouted by an arrogant majority.

Mr. ALLISON. Will the Senator from Alabama permit me?

Mr. MORGAN. Certainly.

Mr. ALLISON. I wish to call his attention to the fact that this bill, by the unanimous consent of the Senate, was made the order of business, and what is denominated the steering committee has had at no time any relation thereto.

Mr. MORGAN. But in the first place, and before the unanimous consent was asked—which every Senator on this side of the Chamber knew it was useless to object to; that a vote would compel the consideration of the bill—the steering committee, as I am informed, did decree that this bill should be the regular order of business.

Mr. ALLISON. I assure the Senator that the steering committee, so called, never considered the subject.

Mr. MORGAN. I am very happy to know it.

Mr. CHANDLER. I should like to say further to the Senator that the steering committee had no authority to take any action on the subject whatever.

Mr. MORGAN. When the vote was taken in the Senate the other day on taking up another very important measure, some of the gentlemen who voted to sustain this bill, in antagonism to that, said they were so voting because their party leaders had decreed that this bill should be kept before the Senate. I am surprised at the statement now made by the Senators. I state the general understanding in the Senate on this point.

I do not know whether the President is claiming from Congress the delegation of these imperial powers.

His conduct in the government of our newly acquired insular possessions does not justify the suspicion that, personally, he demands these vast powers for his own aggrandizement or for any imperial purpose. His conduct, in the exercise of almost imperial sway in these islands, has established before the whole world the great fact that an American President, inspired with the self-control and self-abnegation which is enjoined by our Constitution and is taught by the spirit of our Government, is superior to the temptations of unlawful and unhallowed ambitions.

Fraud and speculation have, indeed, touched his government in Cuba, through his appointees, who were selected with the most cautious regard to well-established character. But it is asserted that no one suffers more keenly than the President from this shameful dereliction, and no one could be more indignant than he is that such disgrace has fallen upon our country, and that no one will be more alert, or more resolute than he is in the exposure and punishment of this national outrage.

I give the President full credit for these sentiments and purposes, but that does not change the fact that official corruption has existed in Cuba under an honest President, and this bill provides so that a dishonest President can have full sway, and without responsibility, to govern the Philippine Islands as he may choose.

The checks that control our vast and wonderful postal system were all applied with care to the postal system of Cuba, and these checks have speedily discovered the crime, so that the system is good and deserves our approval. Yet, through the perversity of human nature, crime has found a lodgment there in its ancient home.

But Cuba, under our peculiar and very unfortunate relations to those people, caused by a sentimental boast of our disinterestedness in declaring war against Spain, is a sort of "no man's land," where the powers of government are alarmingly indefinite, and its responsibilities are merely theoretical, and the restraints of law are not effectual.

Such conditions invite fraud, embezzlement, and corrupt administration and, in the single case that has been discovered, it is manifest that the breach of the law is largely the result of the conditions to which Cuba has been thus exposed. What guaranty have we that a President of the United States, when we have clothed him with powers that are discretionary, supreme, imperial, and irresponsible, in the government of the Philippine Islands will not use such powers to achieve the exalted infamy, and win the world's applause for his crime, of usurping imperial sovereignty?

It may not be that all of our coming Presidents will be George Washingtons, or Thomas Jeffersons, or Andrew Jacksons, or Abraham Lincolns, or William McKinleys, and we have taken no bond of fate that the granting of imperial powers by act of Congress will not create emperors.

Let us give heed to the recent affair in Cuba as a slight but distressing proof that temptation is often the betrayer and crime is the master of even the best established and best approved characters.

Put this statute on the book, and nothing is left us but the personal integrity of the President as a guaranty of proper government in the Philippines. We have no responsible ministers to deal with in the United States, and when we give the President imperial powers we confide our fate to the hands of a single man. Even in Russia and China the people are not so dangerously exposed to absolute power.

Put this bill on the statute book, and we make it the right and the interest of the President to keep the insurrection in the Philippines on foot so long as he shall choose to reward his favorites and political followers with offices in the Philippines without the advice and consent of the Senate. This is imperialism with the consent of Congress.

This bill will place under the command of the President the Navy and the Regular Army, now about to be increased to 125,000 men, and all the forces he may choose to raise in those islands; for "all military powers" necessary to govern said islands "are vested in such persons and shall be exercised in such manner as the President of the United States shall direct." That is absolutism, with the consent of Congress.

If the insurrection in the Philippines is completely suppressed, then this act takes effect, and not until then, the President being the sole judge whether this condition precedent has occurred.

If the President can give constitutional effect to a law by fixing the date at which an act of Congress that confers vast and absolute powers upon him shall become operative, at his option, there is no grant of power by Congress to the President that can not be justified by this terrible precedent. It makes him the master of all legislative power.

But let us turn from the theory to the fact, from the conjectural to the real, from that which is supposititious to that which is probable, if not actual.

Let us deal with the situation as it is and upon the basis of known facts, and study this bill in the light of its actual environment.

A Presidential election is pending. That event, which alarms the country because of its magnitude and the methods that are pursued in its conduct, is now the engrossing care of the whole American people, and nothing is left undone that can escape punishment to affect the result.

Money, to the shame of the Republic and the age, is now the indispensable factor in our Presidential elections. It is used in proportion to the magnitude of the result, which is almost indescribable.

The money collected and expended by the Federal Government alone, in a term of four years, is not less than \$5,000,000,000, to which is to be added at least \$2,000,000,000 collected and disbursed in the States that vote in harmony with the party of the President.

Of course, the control of these vast sums invites the expenditure of many millions of dollars in carrying the elections.

I can think of no financial resource of the party now in power that promises so well for the bloating of its treasury as the present military occupation of the Philippines. The party that controls the expenditure of great sums of money, whether it is expended honestly or dishonestly, is able to control vast political power in the elections. The expenditure of what, I believe, is about \$30,000,000 annually of the revenues of the Philippines is not an insignificant sum until it is compared with the expenditures there for our Army and Navy. Then it sinks into insignificance.

Without discussing the advantages to the President, who is offered by his friends for election to a second term, of the control of these great expenditures, and of the éclat of splendid military success, there are other phases of this subject to which I feel compelled to refer by the existing state of facts.

I do not know, nor do I believe, that the President is seeking at the hands of Congress the broad grant of powers tendered him in this bill. But he is in that unfortunate position which politicians, in these latter days, force upon Presidential candidates, and even upon Presidents—he "is in the hands of his friends." I deeply regret that such a thing can ever be truly said of a President of the United States.

In all the desperately covetous classes in our country none are so eager or so little controlled by conscience as those who are the distributors of the patronage of the President as a perquisite of campaign leadership. When the President is forced to follow their dictation, that great office, designed as a blessing and safeguard to the people, becomes an instrument of robbery and persecution.

The dictates of plain duty, even when they dare to assert themselves for a moment on behalf of the people and the Constitution, collapse when they are in collision with the frown of the campaign manager and his schemes of public plunder.

In this bill the enormous power is given to the President to place under the control of his campaign leader the influence of all

the transcontinental railroads and the great trunk lines connecting with them.

The gross income of these great lines in the United States for ten months of 1898 and 1899 I will call to the attention of the Senate. The gross earnings of the Union Pacific, the Southern Pacific, the Northern Pacific, the Canadian Pacific, the Central Pacific, the Panama Railroad, the New York Central Railroad, Erie Railroad, the Pennsylvania Central Railroad, the Baltimore and Ohio Railroad, the Chesapeake and Ohio Railroad, the Louisville and Nashville Railroad, the Southern Railway, and the Texas Pacific, and their respective leased lines, for ten months of last year was \$339,015,900.

Take it for twelve months, and that is more than a million dollars a day that our people pay to these fourteen railroads and their leased lines. But these are the great avenues that lead from the Atlantic to the Pacific and that now carry 90 per cent at least of the commerce between these two oceans across the Western Hemisphere.

I will insert a brief statement giving the roads and their earnings which constitute the aggregate I have given.

Poor's Manual for 1899 shows the gross earnings for ten months of the years 1898 and 1899 of the following railroads to be:

Gross earnings of Union Pacific Railroad and leased lines for ten months of 1899	\$17,304,017.00
Gross earnings of Southern Pacific Railroad and leased lines for 1898	47,011,471.25
Gross earnings of Northern Pacific and leased lines for 1898	23,679,718.00
Gross earnings of Canadian Pacific Railroad and leased lines for 1898	26,138,977.00
Gross earnings of Central Pacific Railroad and leased lines for 1898	15,766,348.66
Gross earnings of Panama Railroad and leased lines for 1898	2,142,881.00
Gross earnings of New York Central Railroad and leased lines for 1898	45,774,240.43
Gross earnings of Erie Railroad and leased lines for 1898	33,740,890.16
Gross earnings of Pennsylvania Central Railroad and leased lines for 1898	46,957,905.58
Gross earnings of Baltimore and Ohio Railroad and leased lines for 1898	27,722,787.00
Gross earnings of Chesapeake and Ohio Railroad and leased lines for 1898	11,788,557.00
Gross earnings of Louisville and Nashville Railroad and leased lines for 1898	11,885,798.00
Gross earnings of Texas Pacific Railroad and leased lines for 1898	8,006,593.00
Gross earnings of Southern Railway and leased lines for 1898	21,095,838.00
Total	339,015,900.00

Mr. President, the power of these railroads when controlled by their interests, as they are always controlled by their interests, is in a monetary sense equivalent to the power of the United States Government, for our income per diem is but little above a million dollars. That of these fourteen great railroads must be quite equal to it, and the figures that I read are taken from Poor's Manual, which is supposed to give and is accepted as giving a correct statement of the condition of the various railroads in the United States; and here we find aggregated in the power of these railroads as much of monetary influence as is controlled by the Government of the United States.

If our exactions upon the people were as stringent, as merciless, as unrelenting, and as discriminating as those of railroad companies, this would be the most abominable government under the sun. There is no limit to their power; there is no effectual restraint upon its exercise. When they enter into a combination for the purpose of controlling the commerce that is in transit between the coasts of the Pacific and the Atlantic oceans in this country, that combination is as powerful as the Government of the United States. I know its weight. I have been trying to combat it for twenty years in the Senate of the United States.

There is but one possible competitor of these railways for the transportation between our Pacific coast and the Philippines, and but one dangerous competitor for the transportation by water between our Atlantic and Pacific coasts, and that is a ship canal through the Isthmus of Darien. Whether there shall be such a competitor is a question that the people will compel a candidate for the Presidency to face. They demand it and the railroads combine to prevent it, and the candidates must choose between them.

It is the distinct array of the combined power of corporate greed against the plain rights of the people. The value of the railroad haul of the troops and supplies for our Army in the Philippines even for a single year is so great that any delay in cutting such a canal is a vast advantage to these railroads.

What we have lost for the want of such a canal in the war with Spain and the insurrection in the Philippines would have gone very far toward constructing such a canal, if it had not been sufficient to complete it. In the future the income of the railroads will be as great from transportation to and from the Pacific Ocean as it has been in the recent past. They are not willing to yield any part of this harvest to the people or the Government, even for a single year, and they do not intend to do it.

Each year's delay in cutting the canal brings a great sum to the

railroads, and its final defeat makes them the imperial masters of the trade between the Pacific and Atlantic oceans across this Western Hemisphere. Their stake in this lottery is enormous, and they intend, as they have always done, to win the prize, by the contribution of campaign funds and the control of the votes of their employees.

Lest some one should be incredulous on this point, I will present a single chapter of the volume of facts that prove what I state. I read from a report made by a select committee of the House of Representatives, which was presided over by Mr. John R. Fellows, and was composed of Mr. Geary, Mr. Patterson, Mr. POWERS, and Mr. Bellamy Storer:

On the 1st of February, 1878, the Pacific Mail Company, a corporation organized under the laws of New York, owning and running steamers between New York and Aspinwall on the Atlantic, and between Panama and San Francisco on the Pacific, together with certain intermediate Central American and Mexican ports, made a contract for fifteen years with the Panama Railroad Company, also a corporation under the laws of New York.

Before that time another contract had been in existence for thirty years, making forty-five years in all.

At that time there was no showing that there were any foreign stockholders in either of these two corporations.

This contract provided that the Pacific Mail should have the exclusive right "to bill freight through" from New York to San Francisco and vice versa over the Panama Railroad, and all freight offered by others between these points could not be "billed through," but would have to pay local rates on the Isthmus railway. The sum paid for this was to be a lump sum of \$75,000 a month to the railroad company, which, by modification, was afterwards lowered to \$55,000 a month.

A remarkable fact about this contract is that it was the result of a contract made before that time between the Pacific Mail Company and the Transcontinental Railway Pool, as at that date the Association of Transcontinental Railways was called. That was a contract whereby the Transcontinental Railway Pool—embracing all of the roads between the Missouri River and the Pacific seaports and covering entirely all railway traffic between the Atlantic and Pacific seaboard, several of which had received large donations of public lands, and the bonds of which the United States Government was guaranteeing—paid the Pacific Mail the sum of \$90,000 a month, which was afterwards reduced to \$75,000 a month, for the consideration that the Pacific Mail would carry only 1,200 tons a month of freight each way between New York and San Francisco, and on that freight would allow the Transcontinental Pool to fix the price and rate to be paid. That was the upshot of the contract, although the form was a reservation of space for 1,200 tons a month for the exclusive benefit of the Transcontinental Railway roads, whether the steamer sailed full or half empty.

After the passage of the interstate-commerce law had compelled the dissolution of the so-called "Pool," a transcontinental railway association was formed, which, under some name or other, is still in existence; and down to the present time the Pacific Mail, subsidized by the Government in a large amount each year, has been allowing the transcontinental railways to fix the rates and limit the traffic over its line.

These two contracts were so far practically parts of one and the same that the amount paid the Panama Railroad monthly was fixed with regard to that paid to the Pacific Mail by the transcontinental roads, and when the latter was lowered from \$90,000 a month to \$75,000, the former was lowered from \$75,000 to \$55,000. The object of this is frankly stated by the officers of both the transcontinental roads and the Pacific Mail. It was to maintain rates above the level to which they would fall if free competition between these several routes had continued.

It seems to be certain that a very large, if not an absolutely controlling, interest in the stock and directory of the Pacific Mail Company is owned by individuals and estates very largely interested in the stock and directory of the transcontinental roads; and it is proven that the same individuals composing a majority of the directory of the Pacific Mail composed a majority of the directors present at the meeting of the Panama Railroad Company's directory at which the contract between the Pacific Mail and the railroad company of February 1, 1878, was ratified and executed. That this system has for fifteen years been diminishing commerce between New York and San Francisco across the Isthmus is not denied.

It is stated, as a justification, that the Transcontinental Railway Association, controlling, as it did, under these contracts, the prices and traffic of the Pacific Mail, used the latter as an active factor to defeat the competition of sailing-vessel traffic around Cape Horn, and thus were able to maintain the rates of the railroad companies as against that of sailing-vessel competition. It is obvious that this did not tend to increase American shipping or tend to the encouragement of the merchant marine of the commerce of the United States.

It seems to your committee that this state of things can not be beneficial to the general interstate trade or commerce of the United States, nor can it see that it is of any particular benefit to our trade with foreign countries. It is stated that this arrangement between the Pacific Mail and the Transcontinental Railway Association came to an end in December last, which is just about the time that negotiations between the Panama Railroad Company and the Pacific Mail as to a renewal of the former contract seems to have fallen through.

And it is likewise in evidence that the final check to the attempts at making a new contract between the Panama Railroad Company and the Pacific Mail was given by the following letter to the vice-president of the railroad company from the controlling member of the executive committee of the Pacific Mail, who is also universally recognized as one of the controlling influences of the transcontinental railways:

C. P. HUNTINGTON, 23 BROAD STREET,
New York, December 23, 1892.

CHARLES COUDERT, Esq.,
68-70 William Street, New York.

MY DEAR SIR: Herewith I return memorandum that you gave me on Monday. Of course this would not do, but it does seem to me as though there could be such a contract made as would be largely beneficial to both interests.

Yours, truly,

C. P. HUNTINGTON.

Now, in 1896 Mr. Huntington was a witness before the Committee on Pacific Railroads, and I had the opportunity and the honor of conducting the examination on behalf of the committee. I asked Mr. Huntington on that occasion, he being under oath and referring to these contracts, what roads were in this arrangement.

Mr. HUNTINGTON. I do not think I could call them all—the Canadian Pacific, the Great Northern, the Northern Pacific, the Union Pacific, the Southern Pacific, the Central Pacific, and the Atchison, Topeka and Santa Fe.

He did not have occasion to mention the Panama Railroad, for the reason that it was a party to the contract. He produced the contract at my request. It is an agreement between the Transcontinental Association, naming all of the railways that are included in it, parts of which I will read. It is dated the 1st of October, 1889:

This agreement, between the Transcontinental Association, an association consisting of the following railroad companies, namely, the Southern Pacific Company; the Atchison, Topeka and Santa Fe Railroad Company; the Atlantic and Pacific Railroad Company; the California Central Railway Company; the California Southern Railroad Company; the Burlington and Missouri River Railroad Company; the Denver and Rio Grande Railway Company; the Denver and Rio Grande Western Railway Company; the Northern Pacific Railroad Company; the Oregon Railway and Navigation Company; the Missouri Pacific Railroad Company; the Texas and Pacific Railway Company; the Oregon Short Line Railway Company; the Union Pacific Railway Company; the St. Louis and San Francisco Railroad Company; the Chicago, Kansas and Nebraska Railway; Denver, Texas and Fort Worth Railroad, and the St. Paul, Minneapolis and Manitoba Railway Company, which association is now represented by James Smith, its chairman, party of the first part, and the Pacific Mail Steamship Company, a corporation created by and existing under the laws of the State of New York, party of the second part, made and entered into the 1st day of October, 1889, witnesseth:

First. That the said party of the first part—

That is, the Transcontinental Association—

in consideration of the undertakings and agreements of the said steamship company hereinafter contained, undertakes, promises, and agrees to and with said steamship company, to guarantee, and does hereby guarantee, that the gross earnings upon through freight and passengers between New York and San Francisco to be provided to said steamship company by said party of the first part shall be \$75,000 per month. All the gross earnings of said steamers from through business between New York and San Francisco each way shall go to and belong to and be payable to said party of the first part or credited upon its said guaranty to said steamship company.

Second. In consideration of said guaranty of said party of the first part the said Pacific Mail Steamship Company covenants, promises, and agrees to and with the said party of the first part that it, the said steamship company, will, at its own cost and expense, dispatch and run from the port of New York for Aspinwall not more than three nor less than two through steamers per month, and not more than three nor less than two steamers connecting therewith from Panama to San Francisco, and from the port of San Francisco for Panama not more than three nor less than two through steamers per month, and not more than three nor less than two steamers connecting therewith from Aspinwall to New York, and that said steamship company will permit said party of the first part to fix the rates at which all through freight between New York and San Francisco, and all passengers, shall be transported by the vessels of the steamship company from the port of New York to the port of San Francisco, and from the port of San Francisco to the port of New York, and will furnish room on each of said steamers from New York and San Francisco, respectively, and their connecting steamers, for the transportation of, and will transport from New York to San Francisco and from San Francisco to New York all and only such passengers and such freight as may be obtained under rates fixed by said party of the first part, to an amount as to freight not exceeding 600 tons of 2,000 pounds each, in case it runs two steamers per month, and 400 tons, in case it runs three steamers per month, upon any one steamer, it being understood that the deficiency of excess of said 600 tons or said 400 tons, respectively, of cargo upon any one steamer may be added to or taken from, as the case may be, the cargo of any other vessel sailing in same direction within the same calendar month, the intent being that the steamship company shall carry monthly an average of 600 tons per vessel in case two steamers per month are run, or a monthly average of 400 tons per vessel in case three steamers per month are run.

Third. The understanding and intention of this agreement is, that the party of the first part shall, through agents appointed by itself, have entire and exclusive control of all the through business of the said steamship company between New York and San Francisco each way, and that no through freight or passengers shall be taken except at prices to be fixed by the party of the first part—

That is, the railroad company—

and by its consent, it being understood that said control shall be exercised through the established agencies of said steamship company. If the said steamship company shall have room or capacity for more than 600 tons, in the event of its running two steamers per month each way, or for more than 400 tons, in the event of its running three steamers per month each way, of through freight on any steamer, and the party of the first part shall desire to fill it, the said party of the first part shall be at liberty to do so at rates fixed jointly by duly authorized representatives of the parties hereto, the party of the first part to have one-half of the freights on such excess and the steamship company the other half.

Fifth. It is mutually understood and agreed that this contract shall be deemed to have commenced on the 1st day of October, 1889, and to include the earnings from through business on steamers sailing on and after that date, and as to each and all of the foregoing provisions shall continue in force thereafter until ninety days after written notice of the intention to terminate the same shall have been given by either party to the other, with this exception, that if the exclusive contract between the said steamship company and the Panama Railroad Company, so far as it refers to the business of the steamship company between San Francisco and New York, is broken or changed in any respect, or if any other competing line by rail or vessel shall be established between the waters of the Atlantic and Pacific oceans, either overland or via the Isthmus of Panama, that shall affect the through business, concerning which this agreement is made, then the said party of the first part may abrogate and terminate this agreement at any time or not, as it may elect.

Sixth. In regard to the freight and passengers received by the steamship company at San Francisco, for transportation to Europe via Panama, it is understood that the class of business to be taken and the rates to be charged thereon shall be the subject of conference and mutual agreement between the San Francisco agency of the Pacific Mail Steamship Company and the San Francisco general agent of the party of the first part to the end that the interests of both parties may be fully protected.

In witness whereof the party of the first part has subscribed its name hereto by its chairman, and the said steamship company has caused its

corporate seal to be hereto annexed, attested by its secretary, and its name to be signed hereto by its president, the day and year first above written.

[SEAL.]

JAMES SMITH,
Chairman Transcontinental Association.
GEORGE J. GOULD,
President Pacific Mail Steamship Company.

Attest:

JOS. HELLEN,
Secretary pro tempore.

Now, here is a railroad combination called the Transcontinental Association that reaches all the way from the Canadian Pacific Railway to Panama, and includes both of those railroads and every American transcontinental road that touches upon the Pacific Ocean. This agreement had lasted in substance for fifteen years before it was put in further operation by the agreement I have quoted, which provided for its existence for an indefinite period thereafter. I have no doubt that it is still in force under some new disguise. It was too valuable to be permitted to lapse. On the further examination of Mr. Huntington I asked him the following:

Was not the effect of this arrangement to put all the freight south of San Francisco, going and coming, under the control of these particular railroads? Mr. HUNTINGTON. It extended over the whole coast. The Northern Pacific reached Seattle, the Union Pacific reached Portland, the Oregon and California reached Tehama Bay, and the Atchison and Topeka ran to San Diego. Senator MORGAN. How did it happen that this combination of railroads and steamship lines found it expedient to abandon their contract? Mr. HUNTINGTON. I suppose it was on account of the cutting of rates. That is why these agreements have always gone up.

Senator MORGAN. Did not the Panama Company notify you, or notify Mr. Smith, that it would no longer be bound by that agreement?

Mr. HUNTINGTON. I think not.

Senator MORGAN. And that they would levy their usual charges?

Mr. HUNTINGTON. I think not.

Senator MORGAN. And was not the result of it that you had a lawsuit in New York about it?

Mr. HUNTINGTON. No; we never had a lawsuit about it.

Senator MORGAN. Was not a suit in contemplation?

Mr. HUNTINGTON. That was on an old contract of 1872; not for the San Francisco business at all, but on the west coast of the coast of Mexico and with the small Republics south of it.

Senator MORGAN. That was a different contract?

Mr. HUNTINGTON. Yes.

Senator MORGAN. How long did that 1872 contract run?

Mr. HUNTINGTON. I think it ran some twenty years.

Senator MORGAN. Who had that contract?

Mr. HUNTINGTON. It was between the Pacific Mail Steamship Company, by Col. W. Park, I think, on the one side, and the Panama Railroad Company on the other. I do not know who its president was.

Senator MORGAN. Was the Central Pacific interested in that contract which ran for nearly twenty years?

Mr. HUNTINGTON. No; none of the Pacific roads had anything to do with it.

Senator MORGAN. That was a contract for the purpose of keeping down competition?

Mr. HUNTINGTON. Not between San Francisco and New York. As I remember, they gave a certain price over the Isthmus—a certain price per month.

Senator MORGAN. So that neither the Central Pacific nor the Southern Pacific had any connection with that agreement?

Mr. HUNTINGTON. Not at all. It was before the Southern Pacific was commenced. It was in 1872.

Senator MORGAN. Did you make your money back which you paid to this steamship company, \$75,000 a month?

Mr. HUNTINGTON. I suppose so.

Senator MORGAN. You heard no complaint about not making it back?

Mr. HUNTINGTON. I never heard any. It seemed a proper thing to do to get fair rates.

Senator MORGAN. How much money, in the aggregate, was paid to this steamship company presided over by Mr. George J. Gould during the continuance of this contract?

Mr. HUNTINGTON. Seventy-five thousand dollars a month, and it ran about three years. That would make \$2,700,000.

Senator MORGAN. You collected that, of course, out of the people of California?

Mr. HUNTINGTON. If we did the business, we collected our freight upon it. We always do so before we deliver the goods.

Senator MORGAN. So that the loss of that sum fell upon them?

Mr. HUNTINGTON. I do not understand that there would be a loss in paying honest freights on goods.

Senator MORGAN. If a man can buy a thing to-day at \$30, and if the price to-morrow is \$30, and he must have it, he loses \$10. The people of California had no market that they could reach except by water or by land. They were confined to one of those means of reaching the market, and if they had to pay \$75,000 a month for the privilege of carrying their goods on the railroads, I would suppose that they lost \$75,000 a month.

Dodging the question, Mr. Huntington testified as to the value of lands in California, and said:

The price of land in California has gone up tenfold. That seems to have a bearing upon this same thing. We have got several millions of dollars in shares of the company, and we haven't got a dividend on them for twenty years.

The reason of that was that they put their dividends always in new railroads.

I have now established, by documentary evidence which is indisputable, that for about thirty years the people of the Pacific slope have been compelled to pay to the transcontinental railroads, all of whom are in the agreement, in combination, just such rates of freight as they chose to impose upon them, and that this was accomplished by an agreement with the Panama Railroad Company and the Panama Canal Company, which owns the majority of stock and controls the Panama Railroad Company. The union of the canal question with the railroad monopoly will

be presently established by indisputable facts, without any strained construction of their meaning.

Perhaps no more oppressive combination has ever been made in the history of any government or any people than this has been upon the people of the Pacific slope and the country lying back of it. These transcontinental roads have through this agreement cut off the water transportation and the short line of 46 miles haul across the Isthmus of Panama by rail from the access of the people of the Pacific slope, and they have been compelled either to go around by Cape Horn or else to cross the continent with their productions of every kind at such rates as these railroads have chosen to impose upon them.

That has been one of the great causes of my anxiety to have a canal cut through the Isthmus at some point. The power of this railroad combination has been continually present to obstruct and prevent such action, and it is here in this Senate to-day, with all of its effrontery and all of its power, controlling the action of this body. I have referred to the fact and proven it that they control over three hundred and thirty odd million dollars of gross incomes annually, and that their power is equal to that of the Government of the United States in a monetary sense. That, Mr. President, is not an imaginary or a fanciful enemy that I have been trying to combat, but it is a real and powerful one, an omnipresent one, and is utterly without conscience.

Now, when the pressure of the demand of the people of the United States has forced to the front the question of their right to have a waterway through the Isthmus in competition with this great railroad combination, which has so long robbed them and which has taken from them the very cream of their industries, we find not only obstruction to it in the halls of legislation, but we find that the powers of State governments are sought after and obtained and used to create other obstructions and other difficulties, which have recently put it in the power of the great corporations to go to a State of the American Union and there to form colossal combinations which resist all the powers of Congress, all the powers of the State government, and nearly all the powers of the courts; and these combinations have now come to the front for the purpose of uniting with other canal companies in the obstruction of the Nicaragua Canal.

Now, is it not manifest that these people do not intend that the people of the United States shall ever have a waterway through that canal, and is not that the decree to which we are bowing to-day?

A greater scheme is projected and is in process of execution at this time, to which I will presently refer; but the monopoly I have shown between these railroad companies has cost the people of the Pacific coast a sum of money that no man can compute. It has laid its grasp upon agriculture, mines, and forests, and all industries, sparing none, and has measured its exactions by the ability of the people to pay its demands.

If it can prevent a canal being cut through the Isthmus of Darien, its monopoly of the trade of the Pacific Ocean to and from our coasts will be "perpetual," to use the language of the New Jersey charters. To prevent any such waterway is the determination of all these corporations.

I join the people in rebellion against this legalized robbery.

This railroad monopoly has been as inevitable and inexorable as the tax laws, from which there is no escape. We can not measure its vast levies upon all the natural sources of wealth, and all the labor engaged in their development, by the losses it has inflicted upon the prosperity those people would otherwise have had.

In spite of it they have built up the Pacific slope into a wonderful development of wealth and power. When we look to the vast wealth this monopoly has created in the hands of a few private persons, and the regal display of their sudden grandeur, we have only a symptom of a social revolution that has lifted parvenues above their neighbors, and has enthroned monopoly on the Pacific slope. It requires no imagination to fill up the picture. It is fearfully dark.

Turning now to the monopoly that is in process of creation for the exclusive control of any ship canal that can be cut through the Isthmus of Darien, we find that in daring conception and brazen assumption and arrogance this scheme defies all comparison with the enterprises of George Law, Lord Raleigh, and Warren Hastings.

The so-called New Panama Canal Company leads this movement, with the proposed American Panama Canal Company. Pretending that it seeks no aid from the United States, and showing no assets but a partly excavated canal route, and a beggarly remnant of \$13,000,000 of its cash assets, left after being depleted by three years of work on that excavation, that company addressed a letter to the President on February 28, 1898, which I will read:

FEBRUARY 28, 1898.

SIR: The New Panama Canal Company has never proposed and does not seek any appropriation or financial aid from the Government of the United States in the completion of its canal. It places its canal works on the Isthmus of Panama subject to the examination of this Government, or any special

commission through whom it may be desired to make such examination, and will facilitate in every possible way any such desire of the Government.

The entire letter is set out in the report of the Committee on Inter-oceanic Canals to the Senate at this session. I need only quote from it such parts as are in point in this discussion.

It goes on to state what the Government will find upon such examination, without stating that the railroad company whose stock was sold for \$250 per share of \$100 each is offered amongst the assets of this company. Then it proceeds:

While the New Panama Canal Company does not seek any financial aid from the Government, it recognizes the national sentiment in favor of acquiring some pecuniary interest in any canal connecting the Atlantic and Pacific oceans. Therefore the New Panama Canal Company declares that if, as the result of any such investigation, the Government of the United States adopts the Panama route, the company, if the Government so desires, will reincorporate under the laws of the State of New York (under the laws of which State the Panama Railroad Company has existed for nearly fifty years), or of some other State of the Union, subject to the provisions of its concession, and vest its concessions and property in such corporation. It will also, in said event, accord to the United States such representation in its board of directors and such opportunity to acquire an interest in its securities as may be permitted by its concessions, which, of course, must be scrupulously observed.

And further, if the United States should desire to perpetuate or enlarge its existing rights and privileges, acquired under said treaty of 1846, the company will conform to such supplemental treaty as may be entered into between the United States and Colombia.

We beg leave to say that yesterday, at a public hearing accorded to us by the Committee on Rivers and Harbors of the House of Representatives, we submitted to the chairman and gentlemen of that committee a communication to the foregoing purport, and have the honor to be,

Your obedient servants,

MAURICE HUTIN,

Director-General of the New Panama Canal Company.
SULLIVAN & CROMWELL,
General Counsel, New York City.

The PRESIDENT, Washington, D. C.

They had no favors to ask of the Government of the United States, they say they never proposed to ask any favors of us, but they condescended to permit us to enter into a corporation, to be created by a State, and to appoint some of the directors in that company. Mr. President, I think I will stop for a moment and ask for a quorum. I propose that Senators shall stay here and hear something of the business of the Senate. There are not 20 Senators in the Chamber.

The PRESIDING OFFICER (Mr. PETTUS in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Fairbanks,	McBride,	Ross,
Bacon,	Foster,	McCumber,	Scott,
Bard,	Frye,	McMillan,	Shoup,
Bate,	Gallinger,	Mallory,	Simon,
Berry,	Gear,	Martin,	Stewart,
Burrows,	Hale,	Morgan,	Teller,
Caffery,	Hansbrough,	Nelson,	Thurston,
Clark,	Harris,	Perkins,	Tillman,
Clay,	Jones, Ark.	Pettus,	Turley,
Cockrell,	Jones, Nev.	Platt, Conn.	Turner,
Cullerson,	Kyle,	Pritchard,	Vest.
Cullom,	Lindsay,	Quarles,	
Deboe,	Lodge,	Rawlins,	

The PRESIDING OFFICER. Fifty Senators having answered to their names on the roll call, a quorum is present. The Senator from Alabama will proceed.

Mr. CLAY. Will the Senator from Alabama yield to me for a moment to make a report?

Mr. MORGAN. I will not, Mr. President, as it will interfere with my speech.

Mr. CLAY. Very well.

Mr. MORGAN. Senators must come here and attend to their business in the morning hour, so far as I am concerned, for I will not be interrupted in my right to the floor.

Mr. HARRIS. Mr. President—

The PRESIDING OFFICER. Will the Senator from Alabama yield to the Senator from Kansas?

Mr. MORGAN. Certainly.

Mr. HARRIS. Before the Senator goes on, I merely wanted to get a little fuller information in regard to what I understood him to state a while ago. He read a communication from the director-general of the Panama Canal Company. I understand no reference is made to the Panama Railroad as a part of the property of the Panama Canal Company, in which we are invited to take stock.

Mr. MORGAN. No reference is made to that as an asset of the New Panama Canal Company, as I understand it, and they say here, as they have in other letters, that they have caused appraisement to be made of their property, and the value of their assets amounts to \$90,000,000, which consists of the assets of the old Panama Canal Company, which have come over to them, and this proposed line of canal, and the concession and what work they have done under it, and what material they have accumulated and what plants they have established, leaving out entirely, as I understand, the Panama Railroad, which is the only money-earning asset they have.

Mr. HARRIS. Has it not been constantly used as an argument

in favor of the Panama Canal Company that the value of this road and its actual work in constructing the canal would be of very great importance and a great argument in favor of that line?

Mr. MORGAN. Not only so, Mr. President, but this director-general, Mr. Hutin, in his report, which is submitted to the Secretary of State and to the President, claims that our guaranty of the sovereignty of the State of Colombia, our guaranty of their continued and absolute right to own and control the State of Panama, our guaranty of the neutrality of this canal and of all the country in the vicinity of it, is a valuable asset to this company, and they predicate their claim upon American patronage, and have always done so, upon the fact that we have entered into and are bound to maintain this guaranty of neutrality, etc., of the State of Colombia.

Mr. HARRIS. They are operating, then, under the shadow of our guaranty of that railroad, which they do not propose to transfer to us?

Mr. MORGAN. That is true; and we have already sent troops and ships of war there on three occasions for the purpose of putting down the émeutes against that government. I have this morning received a letter from a gentleman of distinction in this city, who knows what he is talking about, in which he says:

WASHINGTON, D. C., May 24, 1900.

DEAR SENATOR MORGAN: I have handed to the Secretary of State, with a request that he send you a copy, copies of the protest which the leaders of the revolution in Colombia have filed with the Government of France and the Panama Canal Company against the extension of the Panama canal concession by the present Government of Colombia. They are documents which should be in your hands.

This letter was sent to me too late to-day, unfortunately, to enable me to ask the Secretary of State for those documents.

There is now a revolution going on in the State of Panama, conducted, I have no doubt, by speculators who are operating through the different canal companies, that I will call the attention of the Senate to in a moment. They have already taken, as the papers inform us, the city of Cartagena, a very important city on the coast of Colombia, and are invading Panama with troops that are sent down there from Nicaragua, as is affirmed. At all events, there is a state of violent agitation to-day in the State of Panama, and the Government of the United States, if that is not suppressed, will have ships and armies down there in a short time for the purpose of suppressing it.

What have we got from Colombia in exchange for this? We have got the same right that the people of Colombia have to pass across that isthmus, by any method of conveyance, with goods and private property belonging to citizens of the United States. That is all. We have not got the right to carry a mail sack across there, or the right to transport troops across there, or, when the canal is dug, the right to carry ships of war through it, or any other right except what I have already stated.

In consideration of that, in 1846 our Government was so anxious to get its hands in some form upon the possibility, as it was then conceived, of constructing a canal through the Isthmus of Panama that we made this very unwise agreement which is now binding upon us, which the present Secretary of State and former Secretaries admit is a binding obligation upon us, and there is no disputing it.

It is a burdensome obligation without any real compensation, and it is referred to by this French corporation as a most valuable part of their concession to build a canal through Panama. While we are aroused about supposed conditions in our treaty relations with Great Britain, we give no attention to this chain that Colombia has about our necks.

This New Panama Canal Company, as it is called, chartered in France, which is under the orders of a French court to-day, its chief manager having been appointed by this French court within the last month, is the company that is here asserting these rights against the United States and making this pretended proposition to the Government of the United States, while they have been engaged now for many years in a combination with the transcontinental railroads of the United States and Canada for the purpose of making the people of the whole Pacific slope pay freight upon an average distance of 2,500 or more miles of railway haul, when, by the Panama route, they could go by steamer and a haul of 46 miles across the Panama Railroad, and thereby save perhaps one-fourth or one-third of the transportation. That is the friendly attitude of that company to our long-suffering people, and this is the monopoly that Senators are afraid to attack, pending a Presidential election.

Now, Mr. President, having explained this situation briefly—for I have not explained it fully, not feeling disposed to take the time of the Senate to go particularly and systematically into an investigation of this matter—let me call the attention of the Senate, if they have any disposition to hear what is going on here, to a letter of this same Panama Canal Company, dated March 11, 1899, addressed to the President of the United States. After we had passed an act of Congress to create the present Walker Commission and the President was engaged in selecting the gentlemen

for that commission, this New Panama Company wrote a letter to the President and said:

The New Panama Canal Company does not present or suggest any name for membership of any commission. Its only petition is that the selection be of gentlemen whose conclusions will at once command public confidence, fully relying upon its ability to satisfy fair and impartial investigation of the merits of its canal.

THE NEW PANAMA CANAL COMPANY,
By MAURICE HUTIN, *Director-General*,
SULLIVAN & CROMWELL, *General Counsel*.

But who were those gentlemen they were willing to accept? In a previous part of the letter they say:

But the subject is of such transcendent consequence to the United States, to the people of the world as well as to ourselves, that we venture, with due respect, to submit this our petition, that any commission designated to aid you in making the investigation and comparison contemplated by the act of Congress be composed of gentlemen of the widest experience, of exceptional character and unquestioned professional standing, and who are not embarrassed by public commitments or previous records favorable or unfavorable to either one or the other project and who have not heretofore served upon any canal commission.

That is the address of this French company to the President of the United States, attempting to constrain him by an insolent and presumptuous suggestion as to the men whom he should appoint on this present canal commission, and that he should not appoint any person who had ever been a member of a previous canal commission. I suppose that was the influential reason why the President of the United States appointed all three of the gentlemen who were on the previous Walker board upon the present board. I should like to know, Mr. President, how much of this kind of insolence the American Senate can stand without having its stomach turned.

But they were not satisfied with that. Here, as late as April 30, 1900—not yet a month gone by—again the President of the United States is addressed by this new Panama Canal Company that stood there robbing the people of the Pacific coast of untold millions of dollars for many years. What do they say in this last epistle? They go on to refer to what had heretofore transpired after this offer of the 28th of February, 1898, from which I read extracts as to what they were willing to do in admitting the Government of the United States into a State company as stockholders, and with directors to be appointed by the President of the United States to serve in a State corporation.

That was the privilege they have offered to grant us. They go on to refer to the commissioners whom the President had appointed, to Admiral Walker, Hon. Samuel Pasco, Mr. Noble, and various other gentlemen. Then they go on to refer to an examination of the routes that this commission were expected or required to make, and they say:

The Isthmian Canal Commission has not yet made its report to the President, and, as we are advised, has not yet completed its investigations and inquiries upon the technical and other subjects covered by the said act of March 3, 1899, nor has the President yet communicated to Congress his recommendations in the premises.

In all these investigations concerning the Panama Canal the company has made to the Isthmian Canal Commission the fullest exposition and explanations, without reserve or exception, upon every aspect of the subject concerning which the commission has desired information, and also has delivered to the commission full and detailed plans, maps, and specifications of the company for the complete excavation and construction of the Panama Canal and canal works. These documents are great in volume and value, and represent the expenditure of a vast sum, as well as the results of many years of study in their original preparation.

The company has avoided any action or course which might by the Government be deemed inconsistent with its said communication of February 28, 1898.

They still stick to that as their proposition, and their only one; and they have repeated it half a dozen times to the Government. That is all they ever proposed to do. I will come to the point of that in a moment.

In this letter they say further:

All this the company has done in full reliance upon the avowed purpose of the Government—as embodied in the act of March 3, 1899—of thoroughly and exhaustively investigating and reporting upon all possible isthmian canal routes, and in the reasonable expectation that in the meantime no action would be taken upon the subject by the Congress of the United States inconsistent with the expressed purposes of said act.

On the contrary, however, and presumably without knowledge of the foregoing facts, measures have been introduced in Congress, and are to be acted upon in the House of Representatives May 1 and May 2, 1900, having for their purpose the adoption by the Government of another isthmian canal route, without awaiting the recommendation of the President and the information, report, and conclusions of the Isthmian Canal Commission appointed by the President under the act of March 3, 1899.

We therefore respectfully request that the President advise the Congress of the facts of the case.

We have the honor to be, your obedient servants.

SULLIVAN & CROMWELL,
General Counsel Compagnie Nouvelle du Canal de Panama.

They urge the President to send a message and to say to the House of Representatives, that had already by unanimous consent agreed that they would consider the Hepburn bill on the 1st and 2d of May, which fact is referred to in this letter, that that agreement is a violation of the previous act of Congress raising the Walker commission to inform the House of Representatives that in good faith and honor they must abandon the idea of considering

a bill for the building of a canal upon some other isthmian route. Mr. President, I think that presumption and insolence and arrogance and brazen-faced audacity has certainly reached its climax in this letter.

This French company, Mr. President, has not been inactive. On the 27th of December, 1899—last December—in pursuance of its offer of the 28th day of February, 1898, to the President, they went to the State of New Jersey and obtained there a charter under the laws of New Jersey. I will also here mention the fact that contemporaneously with that, or almost contemporaneously, at several recent dates, as late as the 12th day of May, 1900, three other great corporations, having the same characteristics and the same powers—not identical, but expressed in different language, and fully as broad—had been organized for the purpose of controlling the construction of canals in the Isthmus of Darien.

Before that time two other corporations had been created in the State of New York; so that we have six in all of which we know, all of them backed up by men of influence and power and wealth; and this hydra-headed arrangement in the State of New Jersey for creating monopolistic trusts to cover all the States and all countries has been resorted to by this new Panama company of France for the purpose of supplying to the Government of the United States the opportunity offered on the 28th of February, 1898, of having representation in its board of directors, and such opportunity to acquire an interest in its securities as may be permitted by its concessions, which, of course, must be scrupulously observed.

I will read some of the provision of law that they have made for themselves under authority of the laws of the State of New Jersey. I will not read it all, but I will read what is pertinent:

CERTIFICATE OF INCORPORATION OF PANAMA CANAL COMPANY OF AMERICA.

UNITED STATES OF AMERICA, *State of New Jersey*:

We, the undersigned, hereby do associate ourselves into a corporation, under and by virtue of the provisions of an act of the legislature of the State of New Jersey entitled "An act concerning corporations (revision of 1896)," and the several acts amendatory thereof and supplemental thereto, for the purposes hereinafter named, and do make this our certificate of incorporation.

First. The name of the corporation is Panama Canal Company of America.

Second. The location of the principal office of the corporation in the State of New Jersey is at 76 Montgomery street, in Jersey City, in the county of Hudson, and the name of the agent therein and in charge thereof, upon whom process against this corporation may be served, is William Brinkerhoff.

Third. The objects for which the corporation is formed are as follows:

To acquire, by purchase or otherwise, the maritime ship canal of the Compagnie Nouvelle du Canal de Panama and the railway across the Isthmus of Panama between the Atlantic Ocean and the Pacific Ocean; to construct, exploit, complete, equip, repair, and enlarge; to operate, manage, maintain, and control said canal and railway and the various enterprises connected therewith; to collect tolls and revenues therefrom, and to use and enjoy the same.

To acquire, by purchase or otherwise, and to construct, operate, exploit, manage, and control lines of railway along or in the vicinity of such canal.

To acquire, by purchase or otherwise, and to construct, operate, exploit, manage, and control cable lines, telegraph lines, and telephone lines along and to connect with such canal and such railway or railways, and in and along the shores of the oceans, seas, gulfs, and bays at, near, or to connect with such canals or railways.

To acquire by purchase, lease, or otherwise, and to construct, maintain, operate, manage, and control, and to sell, let, pledge, or otherwise dispose of ships, boats, and other vessels of every kind and nature, and propelled by any power; to acquire concessions, grants, privileges, or licenses for the establishment and working of lines of steamships or sailing vessels, and to establish and maintain lines or regular services of steamships or other vessels between any ports of the world, and generally to carry on the business of ship-owners, and to enter into contracts for the carriage of mails, passengers, goods, and merchandise by any means, either by its own vessels, railways, and conveyances, or by the vessels, conveyances, and railways of others; and to collect, use, and enjoy revenues therefrom.

To construct, purchase, take on lease, or otherwise acquire, and to maintain, use, and manage wharves, warehouses, piers, docks, buildings, or works capable of being advantageously used in connection with the canal, shipping, carrying, or other business of the company; and to charge and collect dues and rentals for the use thereof.

To construct, purchase, or otherwise acquire, and to own, equip, improve, work, develop, manage, and control public works and conveniences of all kinds, including railways, docks, harbors, light-houses, piers, wharves, canals, conduits, locks, reservoirs, irrigation works, tunnels, bridges, viaducts, embankments, buildings, structures, and any and all works of internal improvement or public utility.

To enter into any arrangements with any governments or authorities—national, state, municipal, local, or otherwise—that may seem conducive to the company's objects or any of them, and to obtain from any such government or authority any and all rights, privileges, grants, and concessions which the company may think it desirable to obtain, and to carry out, exercise, and comply with any such arrangements, rights, privileges, and concessions, including the construction of any and all internal improvements of any and every nature.

To issue shares, stock, debentures, debenture stock, bonds, and other obligations; to subscribe for, to acquire, to invest in, and to hold and control the stocks, shares, bonds, debentures, debenture stock, and securities of any government, national, State or municipal, and of any canal, railway, or other corporation, private or public, and to exercise all the rights, powers, and privileges of ownership thereof; to vary the investments of the company; to mortgage, pledge, or charge all or any part of the property, concessions, rights, and franchises of the company, acquired and to be acquired; to make advances upon, hold in trust, sell, or dispose of, and otherwise deal with any of the investments or securities aforesaid, or to act as agent for others for any of the above or the like purposes.

In general, to carry on any other business in connection therewith, with all the powers conferred by the aforesaid acts of the legislature of the State of New Jersey and acts amendatory thereof and supplemental thereto.

The capital stock is \$30,000,000, with the privilege of increasing it very largely. The amount of capital stock with which it shall

commence business is \$5,000, consisting of 24 shares of first preferred stock, 9 shares of second preferred stock, and 17 shares of common stock.

Now, I need not detain the Senate by reading any further from this paper in order to get the characteristics and in order to measure the purposes, if they are measurable at all, of this vast corporation in which the United States is invited to participate by this letter of the 28th of February, 1898; and now we know the feast to which we are invited. We are to go into this corporation and appoint directors and to participate in all of its vast unlimited and illimitable powers to do any kind of business anywhere in the world. That is the scheme which is laid before the people of the United States and the Senate to-day, which prevents us from acting on the canal bill.

And while there are not a half dozen Senators in this Chamber hearing what I have to say about this, there are not less than 50,000,000 people in the United States who will hear every word of it, and who will hold them responsible for their indifference. This fraud, this abomination, this insult to the United States, this outrage upon the public decency, and this violation, open violation, of the criminal laws of the United States, while I must stand here and rebuke it, if I can, in the presence of empty benches, is to-day controlling the people of the United States by a conspiracy and a combination to compel them to pay full railroad freights, charged at the pleasure of this great railroad combination, from which their industries are suffering to an extent that is indescribable, and that nobody as yet has ever attempted even to estimate.

While I am on this point I will read a section from the statutes of the United States to see what Congress said when they were heretofore dealing with such people as these. It is part of the old alien and sedition law of January 30, 1799, which has been retained and which has often been attempted to be removed, but which no Congress has ever been found that would touch it. It provides:

That if any person, being a citizen of the United States, whether he be actually resident or abiding within the United States or any foreign country, shall, without the permission or authority of the Government of the United States, directly or indirectly, commence or carry on any verbal or written correspondence or intercourse with any foreign government, or any officer or agent thereof, with an intent to influence the measures or conduct of any foreign government, or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or defeat the measures of the Government of the United States; or if any person, being a citizen of, or resident within the United States, and not duly authorized, shall counsel, advise, aid, or assist in any such correspondence, with intent as aforesaid, he or they shall be deemed guilty of a high misdemeanor, and on conviction before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding \$5,000, and by imprisonment during a term not less than six months nor exceeding three years.

Now, sir, I have several times called the attention of the Department of State—not under this Administration, but under a former one, which happened to be particularly indifferent to all schemes of this kind—as to how these interveners and disturbers have gone to the governments of Central America and have attempted and, in fact, have succeeded in perverting the policy of the Government of the United States, as expressed in communications to those governments, and have ridden it down by their secret left-handed diplomacy.

These men to-day deserve the punishment provided for their conduct by the statute, but instead of receiving it they receive applause for their impertinent interference in our affairs. Here this company puts it in its charter that it shall have the right, under the laws of New Jersey, to make any negotiation or conclude any contract with any foreign government whatever to facilitate its purposes. It makes no difference whether it contravenes the policy of the United States or not.

Have we a policy? Is it declared? Is it understood? Do the people not know what that policy is?

It was first declared forty or fifty years ago, during the Administration of Franklin Pierce. It has come on down by repeated declarations, made more and more intense, until it was taken up by General Grant, and afterwards by President Hayes, and formulated in State papers, in resolutions passed through Congress, in bills that we have passed through both Houses of Congress. That policy is that the canal to be cut through the Isthmus of Darien shall not be a canal under the control of a corporation of private persons, but it shall be a canal under the control of the Government of the United States.

Here is this New Jersey company, organized for the purpose of preventing the control of this canal by the Government of the United States, putting it into the hands of private persons or of corporations chartered in France; and it proposes, not that the Government of the United States shall cut or own or control the canal, but that it shall be under the control and ownership of this New Jersey corporation, and the share that the United States can get in it is to make subscription to some of its stock, whereupon it will be entitled to appoint a certain number of directors in a State corporation.

Now, a provision of law that enables this corporation to make a negotiation with a foreign country for the purpose of establishing that policy by this New Jersey charter is in contravention of

the declared policy of the United States, now expressed in distinct form by a vote of 235 to 35 in the negative by the House of Representatives. That is what they propose, contrary to this criminal law of the United States, and they ask us to condone and to concede and to acquiesce in it by becoming partners in that transaction.

When I tell the Senate, or the little fragment of it that is here, that this is the whole of the Panama proposition, I have stated all of it, reserving nothing when I have told them that, I do not see how we can sleep upon our posts when we are in the presence of an enemy like that. I do not think the people of the United States will either enjoy or indulge our slumbers upon this subject. They will be heard from very soon.

Mr. HARRIS. I should like to ask the Senator how much regard he thinks the French Government would show this New Jersey corporation in its attempt to dispose of the rights of the original stockholders in the Panama Canal Company?

Mr. MORGAN. I am very glad the Senator from Kansas has called my attention to that subject, for I wish to make a statement to the Senate.

The old Panama Canal Company was chartered under the laws of France. It spent, it is alleged, \$300,000,000, of which probably \$160,000,000 went into the work on the canal, and the balance was the spoil of robbery. It went into bankruptcy. The French courts took it in charge and appointed a receiver to take and control all of its property and its assets. That receiver went on for three or four years in the effort to continue the work upon the canal line, and finally, failing to do so, reported it to the court, and thereupon the court ordered a sale of the assets of this old, bankrupt company.

A syndicate then was formed in Paris, and this syndicate bought up this remnant of uncollected assets, the material and plant that were left in the hands of the old company at the time of its bankruptcy. They organized under the laws of France as an incorporation, but they organized under the old charter, merely changing the name to the New Panama Canal Company, and retaining the rights and benefits that were due under the old charter to the stockholders of that company, who amounted, as I am informed, to perhaps as many as 5,000 people.

All of those French stockholders are still members of that corporation, as stockholders, and have their rights there. The new company and the syndicate who formed it were permitted by the French court, in consideration of some advances they made for continuing the work of the canal, to have a preferential right in the dividends of this company, and the case stands between the new and the old as 70 to 100. When they get 70 per cent out of the dividends of this canal, then old stockholders get the other 30 per cent. That is the situation.

Here, then, is a French corporation in full action, a French corporation under the control of the French courts, and as late as January 6, 1900, Eugene Navarre, who had been appointed by the French court the director-general of the new French company that has its charter in New Jersey sent the following telegram:

PARIS, January 6, 1900.

X. BOYARD, New York:

Board of management has resigned. I have been appointed, by decision of the court, sole temporary manager of the New Panama Canal Company, instead of the board of management, and with its powers. I have assumed the duties of my office, retaining the director-general and all the principal officers, and I now confirm you in the position which you hold.

Here, then, is a French corporation in court, under the control of a French court, that comes to the United States and goes to New Jersey and gets this charter that I have been reading from, and comes to the United States Government and asks us to involve ourselves in trouble with France by cutting off these old stockholders and robbing them of their rights under the French Government, and going into this New Jersey corporation, and to accept what?

Such stock as we are willing to pay for on a valuation of \$90,000,000 for the work done now, not including the railroad, and the privilege of appointing a certain number of directors in a State corporation; and they say it will require ninety-five millions in addition to complete the canal. They beg like princes, by proudly denying that they need any help, and quarrel with and snap at the President for not forbidding the House of Representatives from going on, under its unanimous agreement, to consider the Hepburn bill, while they are openly robbing our people under combinations with all the transcontinental railroads.

Mr. President, when I present to the Senate of the United States this as the actual and undeniable state of facts, I should like to know, sir, some excuse for somebody who still stands up here to thrust this New Panama Canal Company before the people as an obstruction to the action that ought to be taken for the purpose of building this canal. And then I recur again to the insolence of that company management in New York City, when they appealed to the President of the United States to control the House of Representatives to prevent its action, after unanimous consent had been given in the House for the consideration of the Hepburn bill on the 1st and 2d days of May, 1900.

Never has the United States Government, through the influence

and power of monopoly, patronage, and wealth, been so badgered and so kicked and cuffed about as we have been by this new Panama Canal Company, and the quiet submission and ease with which we sit down and take it can be accounted for in only one way, and that is that a Presidential election is pending and we are afraid to tackle any corporation, inside or outside of the United States, that has, or is professing to have, some great power. That is where we are, and I have located the Senate now upon that.

The so-called new canal company of Panama leads this movement with the proposed canal company of New Jersey, pretending that it seeks no aid from the United States.

The other parts of the provision made to accomplish this vast monopoly to prevent the ownership or control of any ship canal in the Isthmus of Darien is presented in three other New Jersey corporations, copies of whose charters I hold in my hand, and from which I will put some extracts in my remarks. They are as nearly alike as four men of the same size and weight, differing only in certain minor features; when one is described they are all known to the observer; so I will be brief with these quotations from their charters. They are substantially the same as the American Panama Canal Company.

CERTIFICATE OF INCORPORATION OF THE INTEROCEANIC CANAL COMPANY.

Third. The objects for which this corporation is formed are:

To survey, locate, excavate, construct, enlarge, extend, use, maintain, own, and operate a maritime canal and its accessories between the Atlantic and Pacific oceans, through the territory of Nicaragua or any other territory in Central or South America.

To acquire the concessions granted, or heretofore granted, by any government for the construction and operation of a maritime canal and its accessories between the Atlantic and Pacific oceans in Central or South America; and the corporation shall have all the rights, prerogatives, and powers necessary to fulfill the duties and obligations imposed, and to enjoy the privileges conferred upon it by such concessions; and the corporation shall have the power to formulate rules and regulations for the construction, management, care, protection, improvement, use, and operation of the canal and its accessories and appurtenances and for the collection of its tolls, and may modify such rules and regulations at its discretion.

To survey, locate, construct, purchase, lease, maintain, own, and operate roads, railways with any motive power for the carriage of passengers and freight, navigation lines by boats or steamers, and any other means of transportation, and telegraph, cable, and telephone lines in such place or places as the company may deem necessary or convenient for the construction and surveys of the canal and its appurtenances, and for the more advantageous maintenance and operation thereof.

To acquire, hold, deal with, and dispose of as to the company may seem proper all spaces of lands and waters that may be necessary or convenient for the construction, extension, enlargement, maintenance, repair, protection, use, and enjoyment of the canal and its accessories, including all spaces required for the deposit of materials from excavations and cuttings for the overflow arising from lakes, lagoons, and streams, and from dams in rivers, and from all deflections and rectifications of streams, and for ports and extensions thereof, and for docks, dikes, piers, basins, sluices, weirs, locks, guard gates, reservoirs, embankments, walls, and drainage and discharge channels, for lights, light-houses, beacons, buildings, storehouses, machine shops, hospitals, shipyards, deposits of coal, wood, and materials, and including all lands traversed or submerged by overflow or by surplus waters, and for whatever purpose may be necessary or convenient; also to acquire, hold, colonize, deal with, and dispose of all lands and rights in land and real property which it may from time to time acquire.

To levy and collect transit, navigation, tonnage, light, light-house, anchorage, and port dues, towage, lighterage, storage, wharfage, pilotage, hospital, quarantine, and all other similar charges, from steamers, ships, vessels, and boats of all kinds, and from passengers, merchandise, and cargo of all kinds, for which purpose the corporation may at its pleasure establish and modify its tariffs.

To have and exercise all the rights and privileges enjoyed by mining enterprises, lumber companies, manufacturing companies of all kinds, importing and exporting companies, and in general all mercantile companies; and also to have and exercise all the rights and privileges enjoyed by enterprises which have for their object the establishment of shipyards, dry docks, warehouse business, the purchase, storage, and sale of coal, the organization of express companies, agricultural pursuits, and fishing.

To buy and sell and otherwise deal in real estate.

To operate hotels and boarding houses and hospitals and stores for the sale of provisions, clothing, and every kind of merchandise.

To supply water from the canal and its appurtenances to persons, firms, or corporations that may desire it for irrigation, supply of towns, motive power, or for any other purpose, and to fix and collect dues for these services.

To establish in countries foreign to the United States, and in accordance with terms of concessions granted by the governments of such countries, a police force duly organized for the protection of life and property and preservation of order along the route of the canal.

To survey, locate, construct, purchase, lease, maintain, own, and operate railways, telegraph, cable, and telephone lines, roads and lines of navigation by boats or steamers, and other means of transportation anywhere outside of the State of New Jersey.

To purchase, hold, sell, assign, transfer, mortgage, pledge, or otherwise dispose of the shares of the capital stock or any bonds, securities, or evidences of indebtedness created by any other corporations of the State of New Jersey, or of any other State or foreign country, and while owner of said stock to exercise all the rights, powers, and privileges of ownership, including the right to vote thereon.

To build, construct, and repair railroads, water, gas, or electric works, tunnels, bridges, viaducts, canals, hotels, wharves, piers, and any like works of internal improvement or public use or utility outside of the State of New Jersey.

To make and enter into contracts of every sort and kind with any individual, firm, association, corporation, private, public, or municipal, body politic, or with any government, national, State, Territorial, or colonial.

The corporation shall have power to conduct its business in all its branches in any State or country, or have one or more offices, and unlimitedly to hold, purchase, mortgage, and convey real and personal property in the State of New Jersey and in all other States and in all foreign countries.

The directors shall have power to hold their meetings, to have one or more offices, and to keep the books of the corporation (except the stock and trans-

fer books) outside of the State of New Jersey and at such places as may from time to time be designated by them.

CERTIFICATE OF INCORPORATION OF THE AMERICAN ISTHMUS SHIP CANAL COMPANY.

Third. The objects for which, and for any of which, the corporation is formed are:

To take, obtain, purchase, acquire, own, have, hold, possess, locate, excavate, build, construct, complete, enlarge, extend, improve, operate, navigate, use, maintain, manage, and control and receive the emoluments thereof, be vested with the powers and entitled to all the immunities, exemptions, rights, and privileges belonging thereto or incident to the same, any and all canals, canal lines, ship railways, railroads, and routes therefor as existing or proposed to be constructed or otherwise to be built on and across the American Isthmus of Panama or anywhere within or across the States of Central America, Mexico, or United States of Colombia in South America, or elsewhere, as hereinafter provided, and including all and every of the canals and ship railway or routes therefor and railroads or ways at Tehuantepec, Honduras, Nicaragua, Chiriqui, Panama, Mandingo, Darien, Atrato, Truando, Nappipi, San Blas, Costa Rica, and at any and all other points or places within the territorial boundaries of said Isthmus or of said States and countries named, and for the purpose of connecting the Atlantic and Pacific oceans or the bays and harbors opening thereon, or the lakes, rivers, and streams within said territorial regions emptying into the same.

Also to take, obtain, purchase, acquire, own, have, hold, possess, use, and enjoy any and all franchises, concessions, grants, rights, and privileges therefor, connected therewith, or pertaining or relating thereto from any government or other source; also any and all surveys, layouts, locations, maps, plans, plots, profiles, prospectuses, designs, sketches, elevations, drawings, field notes, reports, archives, and papers of or respecting the same.

And in connection with the foregoing objects and in furtherance of the same and the interests of said company it shall have the right and power to engage in the business and receive the emoluments, rents, issues, and profits thereof, of mining, lumbering, manufacturing of all kinds, and of dealing in goods, wares, and merchandise of every description, of importing and exporting the same, the establishing and maintaining of dry docks, the business of lighterage and towage of vessels, the storage and warehousing of freight, of dealing in foods, medical supplies, and clothing of all kinds, the establishing and maintaining of stores therefor; also the business of expressage and transportation the buying and selling of real estate, colonization of lands, the erection of dwellings and establishing and maintaining of hotels, boarding and lodging houses, and hospitals on and along the routes of its said canals and ways, anywhere within the territories or regions named, or elsewhere, that it may lawfully do; and to regulate and control the orderly conduct of the same and the prosecution of its said objects; and to the end thereof secure such local protection, police or otherwise, as may be lawful, necessary, and proper therefor.

To combine and consolidate, by purchase or otherwise, any and all of the franchises, concessions, grants, rights, privileges, titles, interests, and property of every nature and kind soever now or hereafter existing and owned and held by any person or persons, firms or associations, syndicates or corporate bodies, in trust or otherwise, for the building or operating any interoceanic or other canals or ship railways or railroads, or for the prospecting or promoting the same, or in contemplation thereof, within any of said territorial limits or elsewhere.

To form, organize, or enter into any contractual relations with any firm, company, association, syndicate, or corporate body that may be lawful, necessary, and proper for the promotion or execution of any of the foregoing objects or purposes herein.

I will forbear to inflict upon the Senate any further reading from these charters.

One of these canal companies is chartered to establish a ship canal under a concession granted to Mr. Grace, called the Ayre-Cragin concession, to which Costa Rica is not a party, although she is equally interested in the route. This charter is dated the 23d day of June, 1899, and it contains all or even a broader statement of powers than is found in the American Panama Canal Company charter, from which I have read.

Another canal company, the copy of whose charter I hold in my hand, has a still broader sweep of powers, and is evidently intended to be a go-between, a conduit, a connecting link between these other two canal companies, one of them at Panama and the other at Nicaragua, for the purpose of combining them together and making, with the three or four other companies holding these charters in New Jersey, all of recent date, a combination which will control this canal beyond the power of the Government of the United States to resist it or to resist it. When we come to look over other particulars, which I will presently refer to very briefly, we will find that they have ample power to do what they propose to do.

This New Jersey trust combination, prepared to engulf all canal concessions and control the canal and all projects that can be devised, and thereby to establish this vast monopoly, offers the United States a partnership in a canal concession obtained from Colombia for the extension of which for six years within the past few days it has agreed to pay that Republic 6,000,000 francs. The Republic of Colombia has got this Panama Canal Company on the bargain counter.

Whenever they run a little short of time it makes an exaction upon them, and the latest one has been made within the past fifteen or twenty days. It has been agreed upon, as I am informed by the Secretary of State, who sent me a telegram to that effect from our minister to Colombia, that for a consideration of 6,000,000 francs they should have an extension of their charter for six years. When we buy into that company, and when we agree, as that company has so carefully provided in this letter of the 28th of February, 1898, that the concession from Colombia to this canal company shall be scrupulously adhered to, what do we get?

If we fail to complete the canal within the time that they prescribe, this six years, as now added to the length of their days,

we must go and unite with that company and pay Colombia for the additional privilege of another six years or another ten years; and there is not an engineer in Panama nor one in the United States who has ever investigated this subject who places the term within which this canal can be possibly completed short of twelve years, if it can ever be completed.

Having exhausted the labor and skill of two commissions of engineers, who they claim to be the greatest engineers in the world, and of a large staff of company engineers, they have not yet established the levels on which their canal can be safely built, but are digging ditches and boring tunnels to ascertain which of them is practicable, if either is. Our commission is waiting to see if these labors will show that the canal is practicable before they will state a conclusion on that vital point.

Again, it is still a mooted question whether a water supply can be created 10 miles away from the line of the canal, to be fed to it by another canal sufficient to feed its upper level in the dry season and to control the flood waters in the Chagres River, which rise in the wet season 39 feet from a single rain storm. Delay is demanded by the opponents of the Nicaraguan Canal until the French engineers can solve this question. Our commission has quit the field, leaving this vital question open, to await the decision of the engineers of the New Panama Canal Company.

Other vital questions as to the practicability of the Panama Canal are as far from being settled as they were three or even six years ago, and delay is demanded until they are settled.

I will not discuss these matters, because I am only concerned to get the pending Philippine bill out of the way, so that the Senate can act upon the House bill and pass it or defeat it.

As to the Nicaraguan Canal, every engineer and every commission, of the many that have examined it, declares that it is practicable and feasible at a reasonable cost, their only differences being as to the best and least expensive plan for constructing it.

There is no element of uncertainty that furnishes any excuse for delay as to the Nicaraguan Canal.

There is one dreadful element of danger to the country that is invited by our further delay in acting on the canal bill. It is that the powerful combination of the transcontinental lines of railroads with the New Jersey canal companies will obstruct and prevent the efforts of the Government in obtaining the rights and powers that are necessary, to create an American canal under the control of the United States.

Without this, such a course must become, in the hands of private persons or of foreign corporations, a settled incubus upon the military power of our country and a gatherer of extortionate taxes upon the commerce of our people forever. The one great effort to place us in this abject situation is to secure delay, and this bill is the essential and carefully adapted means of accomplishing that result. Only a few millions of the colossal sums that are at the command of the railroads and the New Jersey canal trusts are needed to prevent the possibility of the United States from acquiring any treaty rights in the isthmian country. Smaller sums have been heretofore used to obstruct the policy of our Government, and will be used again.

The income of a single month of the twelve railroad lines I have pointed out would create a fund of \$30,000,000, which is an unconsidered trifle when compared with the permanent control of the transportation between the two great oceans. The railroads are not so weak or so self-denying as to neglect so great an opportunity.

Neither are the Senate committees of the party in power, empowered to control the order of business, nor the national executive committee of that party so blind as not to see the advantage of this indulgence to this powerful combination in their demand for delay.

They may feel that in December they can still retrieve the disaster that will come to us through the combined efforts of this vast concentration of wealth to obstruct the national policy of a canal under the control of the United States.

This is a vain delusion, when the Senate, for party purposes, and having no other rational excuse, reverses the almost unanimous vote of the House in passing the canal bill, suffers the combination of railroads and canal trusts and syndicates to have their own sweet will in creating obstructions to the policy of the Government and the will of the people, voiced in the vote of the House of 225 for that measure to 35 votes against it. A state of public agitation will follow which it will be impossible to suppress.

It will be attended with the outcry that the rights of the people have been sacrificed and their voice has been suppressed by the silent nod of the heads of their corporate masters, the railroads and the New Jersey canal syndicate.

It is easy to be understood that if any foreign government has assisted in this fatal warfare on the commerce of our people, that government will be the subject of actual war.

The American people, sir, will never permit themselves to be robbed of this waterway by the contrivances of any public or foreign power, I care not how great or how small.

This is one of the cases in which an ounce of prevention is worth a pound of cure. I appeal to those who have the control of this great subject that they will not place the country in this perilous situation; that they will forego the political advantages that follow the patronage of the vast railroad and canal combinations, in favor of the grand national attitude we have assumed in the Hepburn canal bill.

For the first time in a half century of national humiliation the House of Representatives has taken a position on this subject that is worthy of the country. It is an attitude of firm self-reliance; of great and considerate regard for the welfare and vital interests of our people and their Government; it gives no just cause of offense or criticism to any other power, great or small; it neither prejudices nor questions any adverse claim of right that any other nation may have it in mind to assert.

It simply declares that the United States of America, through their Congress, have the right to provide the means to create, own and control a ship canal in Nicaragua and Costa Rica, and to empower the President to construct it when he has cleared off all obstructions to that work.

This is all, and the nation does not exist that will rashly question this proud attitude of the United States. It is within the purview of our national sovereignty and in harmony with its just and honorable assertion.

It is needless and shameful to say that obstructions exist as to this act of national duty, for the removal of which we must first petition some other power or negotiate with any other governments except Nicaragua and Costa Rica that are the sovereigns of the country through which the canal is to be constructed.

When such objections are made will be the proper time for their discussion. They will not be made unless we slavishly stoop to invite them.

If we delay action on this great subject, either to await some agreement with other governments or to give the railroad and canal syndicates opportunity to create obstructions, we will thereby so deprave the spirit of our people and so far confess the moral weakness of the Senate and the Government that we will receive and deserve the contempt of nations; and in future the audacity of the syndicates will laugh our powers to scorn.

A prophet in Israel, a man of great sagacity and of most intimate knowledge of the action and motives of his party associates; a great Republican leader, of courageous speech and action, a man of probity, has foretold what is now occurring in the Senate.

I will read his prophecy on the Hepburn bill:

MR. CANNON. Mr. Chairman, the gentleman from Iowa [Mr. DOLLIVER] and the gentleman from Nevada [Mr. NEWLANDS] openly voice what is voiced in conversation all over this side of the House, and I presume all over that side of the House, namely, that if this was the final vote that enacted this bill into law it would not get one-fourth of the members of the House for it. Nevertheless it is proposed to pass it through the House, and the Senate is expected to hang it up until next winter. As I understand it, the legislative branch of the Government consists of the House, the Senate, and the President. Each one has its functions to perform. Whatever other men may think, for one I can not see my duty plain to vote to pass a bill that does not meet my judgment touching a great question like this. Therefore I shall vote against it.

See at what a disadvantage it places the House. First, we go to the country on the eve of a campaign, both sides hurrahing for the Nicaragua Canal, and we say, "Oh, we have passed it through the House. We do not expect it to be enacted at the other end of the Capitol. We pray and hope and expect that they will not pass it as voiced by these gentlemen who speak this afternoon." Who is to be cheated? Are the people to be cheated or do we cheat ourselves touching this matter? I fancy we will not cheat the people. I fancy that they will know as much about it as we do, and from the standpoint of sound legislation it does not become this great body that directly represents the people to pass its functions over to the other coordinate branch of Congress and say as we send it to them, "Help me or I sink."

Are we, indeed, fulfilling this prediction? Are the friends of the President actually at work in the Senate to place him in an attitude so compromising and derogatory as to attempt to gain votes for him in November by this low and unworthy trick of legislation that was laid bare in the House in the presence of the whole world?

Is it to be said here that the President is a party to this ambidextrous and cross-eyed political rascality? Does he know of and approve a false pretention of purpose to create an isthmian canal, to be constructed and owned by the United States, while he is willing to place it in the power of a great combine to destroy it, or shall it be said that he is so afraid of British power that he will abandon the canal and all effort to construct it or even to negotiate for it until Great Britain has first given her consent that Congress may deal with the subject?

I would as soon believe that Mr. McKinley had connived at Neely's frauds in Cuba as that he would thus "palter in a double sense" with this canal bill, originated by a great Republican, Mr. HEPBURN.

It is, however, the assertion of the political friends of the President that his desire is to prevent a vote on that measure at this session of Congress, and that this is the reason why the great body of the Republican party in the Senate have twice voted down the motion to proceed to the consideration of the canal bill. I do not

believe it. I believe that the railroads and the canal syndicate are more influential with the managers of the Republican party in the Senate than any wishes of the President.

They are willing to take the risk of violating his wishes when they desire to form a money combination with the great railroads of this country to fill up the campaign treasury.

It is manifest beyond dispute that this bill for government in the Philippines can not pass Congress at this session. Indeed it can never pass the present Congress.

If it is ever to become necessary, it is premature, for the reason that the insurrection in the Philippines is not suppressed, and until Congress is informed of the terms and conditions on which the peace and tranquillity of the islands is restored it can not legislate intelligently; until that shall occur it is not possible that proper laws can be enacted to provide for that situation. It is irrational, if it is not monstrous, to attempt to force Congress now to legislate for conditions so remote, so unknown, and so hazardous.

Realizing this, we are asked now to stultify ourselves as Senators by delegating to the President all the powers that we possess and are sworn to exercise, protect, and defend under the Constitution.

It might as well be asked that the Senate should dissolve.

The amendments that are offered, and will be offered, will renew the discussions that so long prevailed on the Porto Rican bill, and would delay final adjournment for a long period, so that it is not possible to pass this bill at this session of Congress.

This fact has been obvious for weeks to all the Senate.

This bill was reported on March 5 and was made the regular order of business on the 4th of April, and for fifty days it has been kept before the Senate and has controlled all other legislation of this country. Nothing on the Calendar could be reached except by unanimous consent.

Twice I have importuned the Senate for such consent, and twice I have attempted, by a vote, to take up the canal bill, which is confessedly the most important measure before Congress. Each time it has been antagonized by this bill, which was born to linger and to die in a slow dissolution—a bill that is not needed to increase the powers of the President in the Philippines, where he has full powers to govern, without question as to what he has done there or may do.

The country, while it is vehement in its demand for canal legislation as a vital necessity, makes no sign of anxiety that Congress shall do the absurd thing of giving to the President the absolute power to rule in the Philippines—as much a dictator as Aguinaldo asserted his right to be—and in the same act to assume all the responsibilities of government there.

The President is demanding absolute power from Congress, if he is demanding anything, that, as the agent of Congress, we shall assume all the responsibility for his conduct. Acting both as servant and master, he ought to have an easy time. This bill has been used with such care and assiduity to defeat all canal legislation that the conclusion is irresistible that it fulfills the warning prophecy of the great Republican seer, the Hon. JOSEPH CANNON.

In December we may know something more definite as to the prospects of suppressing the insurrection in the Philippines, and the friends of this bill, if they really intend to exert absolute and imperial power in those islands through the executive arm of the Government, will do well to let the November elections take place before they thus engage in the abrogation of the Constitution of the United States.

They should wait for cool weather to visit upon the country the hot purpose of slaughtering the organic law, which is the Government of the United States.

If our possession of the Philippines is to be perpetual, as to which I must defer to the opinions of Senators who will occupy my seat ten, or twenty, or fifty years after I am dead, because nobody is ready, so far as I believe, to vote for their present abandonment, they will contribute untold millions of dollars of the cream of our commerce with those people to the transcontinental railroads.

Commerce and industry will have to submit to starvation, as they are now doing, to feed this unrelenting monopoly, this insatiable horse leech, unless this Congress shall rise to the occasion and give to the people a competitive waterway through the Isthmus of Darien.

In a few hours' work we can do this, but we are not permitted to do that work because the steering committee of the Senate will not allow it. They have placed this bill, like an air brake, on the wheels of legislative progress, and have called a dead halt upon all canal legislation.

The President may be behind them; I do not believe it; yet he is in that paralytic condition into which Presidents even may lapse when they are candidates for reelection. He is in the hands of his friends, and his friends are in the hands of the enemies of the canal. Will the Senate submit to their dictation for the sake

of the power that may be contributed to the exchequer of a political campaign committee?

This is a question for the people to answer, and their response will not be uncertain or long delayed. They will say to the Senate, "You have passed canal bills not so meritorious as the Hepburn bill, in 1893 by 11 majority and in 1898 by a majority of 42 votes, when you did not have the certain basis of action you now have. What has happened now to freeze you into a condition of paralysis?" The answer to that question will have to be made by the Senate to an outraged people.

I will not be responsible for that righteous demand of the people. I will not wash my hands, as Pilate did, to avoid responsibility, or to avoid the appearance of complicity in a crime against mankind. I will take the part of the victim and prefer to die with the innocent rather than to aid in the triumph of the guilty.

Mr. President, I do not know whether to say that I hope to pass the pending bill at the present session of the Senate. That depends upon the will of two men on this floor. If they are controlled by a determination that the sources of Republican revenue for campaign purposes rest with the great canal and railroad combinations of this country and shall neither be cut off nor diminished, then, sir, they will decide that the people shall not have the canal. But the responsibility rests with them, and if they so act it will rest through them upon the Republican party.

I have not sought to make this a party measure. It has not been made a party measure in any vote that has been given in the House or in the Senate heretofore. Here we find a bill presented that involves the discussion of the great question of the control of the Philippines, anticipating it in all its forms and conditions and for all time to come, pressed upon the Senate when it is perfectly well known that we are not prepared and do not intend to act upon it; that no Senator here can justify himself in the eyes of his own constituency by giving a vote for this bill or against it, or by voting for or against the many amendments that will be offered to it, under the present conditions, with the lights that exist upon that subject.

We find the President of the United States armed and panoplied with all the power that is necessary to conduct all civil and military government in the Philippines. No one has complained at what he has done. No one has charged him with the exercise of power in an improper way. The country is satisfied with the manner in which he is proceeding, and with the authority under which he is moving.

Under these conditions there can be nothing but harm in the disturbance of them. To substitute now a new source of power and authority for that which exists; to come to us and ask us to confer upon the President of the United States all the civil, military, and judicial power, including the power to legislate and appoint to office, to fight battles and raise armies and the like of that, to be exercised at his will and pleasure, is to make a demand upon the Senate of the United States that is so arrogant and so unseemly that any Senator would be perfectly justified in remaining here and spending all of his physical strength to the end of his days rather than to submit to such a movement.

Sir, I repeat; the accusation is proven to be just against the Republican party; that while they are in favor of expanding the influence and power of this Government so as to give its benefits and its blessings to all the people who may be in reach of them through the providence of God, it has been proven in the case of Porto Rico and upon this bill that it will not do this unless it can establish that imperial absolutism which strikes down the powers of Congress and incorporates and lodges in the hands of the President all the powers of the legislative, executive, and judicial departments of the Government.

I have waited to see how this thing would turn out. I did not speak upon that treaty, either openly or privately. I have not discussed any of the many resolutions which, by way of anticipation and prevision, seek to arrange and fix the conditions of this country in respect of the Philippines, Porto Rico, and Cuba, in the distant future or in the near future. I have waited to see what the developments would actually be; and it is true, sir, that in the Porto Rican bill and in this bill imperialism raises its crest and demands the submission of the people of the United States to its authority, even though it may wreck every constitutional right that we possess.

That is the attitude of the Republican party to-day, deliberately assumed and forced upon the President of the United States in the Porto Rican case, after he had made a firm and, I suppose, an honest and a manly declaration to the contrary. He was forced to recall his words, to change his attitude, to revoke his Presidential pledge to the world, at the behests of the men in his party who have hitherto and now intend, and will always hereafter intend, to confer upon the President of the United States or any agents selected by them autocratic powers to govern at their will and pleasure and for their convenience and their satisfaction, at the peril of every right and privilege that has been secured by our

fathers under the Constitution of the United States to the States and to the people.

They have solemnly denied the right of the people to trial by jury. They take up, for the purpose of increasing the revenues of a certain class of the people in the United States, certain trades and occupations and reward them by passing a special tariff law to apply to Porto Rico, peculiar to that country. They do that without any sort of hesitation. If that is not a violation of the Constitution of the United States, in my poor judgment one is not conceivable.

And now when that great bill comes over from the House of Representatives, originated by one of the great leaders of the Republican party of the United States and fought through that House with the vigor of a lion and with the courage of a great man, and when that bill comes to be considered here it is laid aside and thrown off the track, either for the purpose of making terms and agreements with canal and railroad combinations or else for the purpose of accommodating the imperialists and absolutists who record their opinions in the language of this bill. I am opposed to it, sir.

Mr. TELLER obtained the floor.

Mr. PETTIGREW. I wish to give notice that I desire to take the floor and speak on the Philippine bill, which is the unfinished business, immediately after the close of the remarks of the Senator from Colorado [Mr. TELLER].

Mr. ALLISON. I understand that the Senator from Colorado [Mr. TELLER] is willing to yield to me that I may ask that the pending bill, which is the unfinished business, may be informally laid aside in order that I may call up the sundry civil appropriation bill.

Mr. TELLER. I will state, as the Senator from Iowa wants to proceed with the consideration of the sundry civil appropriation bill, that I have consented to allow that to be done. I suggest that to-morrow there is a special order, which will perhaps take all day, and so the pending business before the Senate might be postponed until Monday morning after the routine business of the Senate.

Mr. ALLISON. I do not think that is necessary. It will be the unfinished business anyway to-morrow unless laid aside.

Mr. TELLER. The reason why I have made the statement is that I do not wish to interfere with the chairman of the Committee on the District of Columbia, who gave notice that to-morrow he wished to have the consideration of bills reported from that committee.

Mr. BERRY. That was not to interfere with appropriation bills.

Mr. TELLER. Of course not; but the sundry civil bill may get through in the meantime.

Mr. BERRY. I hope so.

Mr. TELLER. I will yield the floor for the present, and will take the floor on the Philippine bill when the opportunity shall be presented.

COLORADO DEVELOPMENT COMPANY.

Mr. PETTIGREW submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6250) extending the time for proof and payment on lands claimed under the desert-land law of the United States by the members of the Colorado Cooperative Colony in southwestern Colorado, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: Strike out all of the Senate amendment and insert in lieu thereof the following:

"SEC. 2. That any person who has heretofore made entry under the homestead laws and commuted same under provisions of section 2301 of the Revised Statutes of the United States and the amendments thereto, shall be entitled to the benefits of the homestead laws as though such former entry had not been made, except that commutation under the provisions of section 2301 of the Revised Statutes shall not be allowed of an entry made under this section of this act.

"SEC. 3. That any person who, prior to the passage of this act, has made entry under the homestead laws, but from any cause has lost or forfeited the same, shall be entitled to the benefits of the homestead laws as though such former entry had not been made: *Provided*, That persons who purchased land under and in accordance with the terms of an act entitled "An act to provide for the sale of lands patented to certain members of the Flathead band of Indians in the Territory of Montana, and for other purposes," approved March 2, 1889, shall not be held to have impaired or exhausted their homestead rights by or on account of any such purchase."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same with an amendment as follows: In lieu of the amended title insert: "An act for the relief of the Colorado Cooperative Colony, to permit second homesteads in certain cases, and for other purposes;" and the Senate agree to the same.

R. F. PETTIGREW,
THOMAS H. CARTER,
W. V. SULLIVAN,

Managers on the part of the Senate.

JOHN F. LACEY,
F. W. MONDELL,
MARION DE VRIES,

Managers on the part of the House.

The report was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask unanimous consent that the unfinished business may be laid aside informally in order that the Senate may proceed to the consideration of the sundry civil appropriation bill.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the unfinished business be temporarily laid aside for the consideration of the sundry civil appropriation bill. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11212) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. ALLISON. I ask unanimous consent that the formal reading of the bill may be dispensed with, and that the bill may be read for amendment, the amendments reported by the Committee on Appropriations to be first considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Iowa? The Chair hears none, and that order is made.

The first amendment of the Committee on Appropriations was, under the head of "Under the Treasury Department," on page 4, after line 16, to insert:

For old custom-house at Detroit, Mich.: For placing new elevator and work incident thereto in said building, \$10,000.

The amendment was agreed to.

The next amendment was, on page 6, after line 2, to insert:

For rental quarters at Macon, Ga.: For annual rental of temporary quarters for the accommodation of certain Government officials, including necessary moving expenses, \$5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Quarantine stations," on page 11, line 1, after the word "stations," to strike out "at or near Fleming Key" and insert "in the discretion of the Secretary of the Treasury, near Key West;" and in line 3, after the word "and," to insert "at;" so as to make the clause read:

For the establishment of national quarantine stations, in the discretion of the Secretary of the Treasury, near Key West, and at Mullet Key, Fla., made necessary by the transfer, by direction of the President, of the Tortugas quarantine station to the Navy Department for use as a coaling station for the Navy, \$125,000.

Mr. MALLORY. I desire to ask the Chair whether this reading of the bill is simply for the purpose of hearing the amendments reported by the committee, or is it to act upon the amendments?

The PRESIDENT pro tempore. To act upon the amendments.

Mr. MALLORY. I desire to ask the Senator from Iowa whether this proposed amendment, striking out the words "at or near Fleming Key" and inserting the words "in the discretion of the Secretary of the Treasury, near Key West," has been presented to the Marine-Hospital Service?

Mr. ALLISON. This amendment was inserted at the request of the Department. The Surgeon-General of the Marine-Hospital Service stated that the language "at or near Fleming Key" was too definite, that they were not quite certain as to the best point at which to establish this new station, and therefore they preferred the use of the phraseology inserted by the Senate committee.

Mr. MALLORY. Mr. President, that is a very important amendment, and one to which I certainly must file an objection. Fleming Key itself is too near Key West undoubtedly for a quarantine station. It is not quite 2 miles from Key West; and I think that, in the estimate of those people who have had some experience in quarantine down in that part of the country, at least 7 miles of open water ought to intervene between a quarantine station and an inhabited community.

Unfortunately, I do not think there is any other place within easy reach of Key West that can be utilized for a quarantine station because of the difficulty of securing safe anchorage for ships. If vessels go into quarantine they have to be segregated from the ordinary shipping, and they must have a good and safe anchorage. There is safe anchorage near Fleming Key and deep water; that is, water up to 23 feet; but, as I have already said, if located at Fleming Key or its neighborhood, it will be within 2 miles of the city of Key West, which has a population of some 20,000, and they naturally object to that.

The amendment which has been proposed to that is to strike out the words "at or near Fleming Key," and to make the clause read:

For the establishment of national quarantine stations, in the discretion of the Secretary of the Treasury, near Key West and at Mullet Key, Florida.

It strikes me that that is conferring too important and wide a discretion upon the Secretary of the Treasury. The Secretary of the Treasury knows nothing of that location, and I do not think the Marine Hospital Bureau, until I called their attention to the fact, knew that Fleming Key was within 2 miles of the city of Key West; and yet they propose to insert that language.

I have received a number of protests from the people of Key West against it. You might as well put a quarantine station down here at the Eastern Branch as to put one at Fleming Key or in the neighborhood of Fleming Key, and to leave that with the Secretary of the Treasury, who, as I say, knows nothing whatever of the situation, is, I think, entirely too broad a discretion to vest in him.

I proposed to the Surgeon-General of the Marine-Hospital Service the following amendment, which he said he would recommend, and which, I have been informed, the Secretary of the Treasury was willing to recommend, which is, to strike out the language "at or near Fleming Key" and substitute in lieu thereof the words "near Key West;" after the word "and," in line 3, on page 11, to insert the word "at;" and at the end of line 7 to insert the following:

Provided, That no such station shall be established within 5 miles of the island of Key West without the consent thereto of the board of health of the State of Florida.

It strikes me, Mr. President, that that would be a very proper course to take as a restraint upon the discretion of the Secretary of the Treasury.

Mr. ALLISON. May I ask the Senator from Florida if that suggestion meets the approval of the Surgeon-General of the Marine Hospital Service?

Mr. MALLORY. He agreed with me to write to the Secretary of the Treasury and to the chairman of the committee on that subject. I would rather have it 7 miles, if it does not make any material difference to him, than 5 miles, and I propose to so modify my amendment.

Mr. ALLISON. I hope the Senator from Florida will strike out that part of his amendment which requires the approval of the health board of the State of Florida.

Mr. BERRY. I understood the Senator to say that it would require that approval if the station was within 5 miles of the island of Key West.

Mr. ALLISON. I ask that the amendment may be stated at the desk.

Mr. MALLORY. I have changed it from 5 miles to 7 miles. The PRESIDENT pro tempore. The amendment will be stated. The SECRETARY. On page 11, after the word "dollars," in line 7, it is proposed to insert:

Provided, That no such station shall be established within 7 miles of the island of Key West without the consent thereto of the board of health of the State of Florida.

Mr. ALLISON. I can not consent to that amendment unless it shall meet with the approval of the Surgeon-General in charge of quarantine or of the Secretary of the Treasury.

We have amended this provision so as to leave a discretion as to the location of these stations, giving the widest range possible for a full examination of them. I think a quarantine station is necessary at both of these places, but I should not like to consent to a modification of the provision without further information. I am willing that the amendment shall be passed over in order that the Senator may secure the approval of the administrative officers as to his amendment.

Mr. MALLORY. I will say to the Senator that I think the Secretary of the Treasury will approve it, and I think from the information I have received, from the office of the Surgeon-General of the Marine-Hospital Service that he will also approve it; but I am perfectly willing to let the matter go over for the present.

Mr. HALE. Does the Senator from Iowa, under any circumstances, think that upon this subject of quarantine, which has been assumed by the General Government, there should be a provision which limits the entire operation of it to the discretion of a State board of health?

Mr. ALLISON. I do not.

Mr. HALE. Then the Senator is not intimating, even if the Secretary of the Treasury agrees to the amendment of the Senator from Florida, that the Senator from Iowa will agree to it.

Mr. ALLISON. Certainly not. The Senator from Florida proposes to change the location of these two quarantine stations. We inserted the provision as it appears in the bill at the request of the Secretary of the Treasury and the Surgeon-General of the Marine-Hospital Service. I do not wish to consent to a change of the location of those stations without the approval of those having the responsibility.

Mr. HALE. That is right, undoubtedly; but also the Senator does not propose to have those words in anyway?

Mr. ALLISON. I have so stated once.

Mr. HALE. I do not know but that the Senator from Florida [Mr. MALLORY] may think the Senator would be willing to consent that those words of limitation by the State authorities should be inserted if the Secretary of the Treasury thought fit.

Mr. MALLORY. That was my understanding.

Mr. ALLISON. I said to the Senator from Florida a moment

ago that I could not consent to the suggestion that in these matters we were to ask the approval of a State board of health.

Mr. HALE. That is right.

Mr. MALLORY. My amendment as offered only undertakes to affect the location of the quarantine station at Key West, and not the one at Mullett Key. That is all right. I do not object to that. It is at the mouth of Tampa Bay and 30 miles from any community; but to vest in the Secretary of the Treasury discretion to locate a quarantine station within 2 miles of Key West is something that I do not think we ought to do under any circumstances.

Mr. ALLISON. The amendment proposed here by the committee is an amendment suggested by the Secretary of the Treasury, no doubt under proper advice from the Surgeon-General, so as to give him a wider latitude. I take it for granted that that discretion would not be exercised so as to affect injuriously the citizens of Key West. So if the Senator desires the amendment to be passed over, I am willing that it shall be done, so that he may secure a letter from the Secretary of the Treasury on the subject. It may be that on further examination we may desire to change the amendment.

Mr. MALLORY. I am perfectly willing to let it go over and let the Secretary's advice be obtained.

Mr. ALLISON. I supposed we had his recommendation regarding it.

The reading of the bill was resumed at line 8, on page 11, and continued to the end of line 11, as follows:

For quarantine station, South Atlantic: For accommodations for crew, \$1,000; transfer barge, \$1,000; crematory, \$1,000; in all, \$3,000.

Mr. ALLEN. I observe in the paragraph which has just been read an appropriation for a crematory, and I also observe the same language in another paragraph of this bill. I have the impression that we should have some explanation of that matter from the Committee on Appropriations as to why, at these different quarantine stations, and under what circumstances, persons should be cremated, and by what authority. I ask that question of the Senator from Iowa.

Mr. ALLISON. I suppose that crematories are necessary at the large quarantine stations for the purpose of destroying clothing and other articles which carry infection. I suppose so, but I do not know. This is a recommendation made by the Secretary of the Treasury. I should think a crematory at such a station would be a very wise thing to have.

Mr. ALLEN. I understand the substance of the statement of the Senator from Iowa to be that these crematories are necessary.

Mr. ALLISON. I think they are.

Mr. ALLEN. For what reason are they necessary? What makes them necessary?

Mr. BERRY. To prevent the spread of disease.

Mr. ALLEN. I do not believe that Congress or any other authority is authorized to dispose of the remains of human beings, whether in the service of the United States or whether private citizens, without the consent of the relatives of those persons.

Mr. ALLISON. The amendments of the committee are to be first considered, I will say to the Senator; and if he desires later on to move to strike out, he will have that opportunity.

Mr. ALLEN. I understand the committee amendments are first to be considered; but I do not esteem it my duty to offer an amendment to this clause, nor do I esteem it the province of the committee to incorporate into this bill as cruel and unusual a provision as the one which is found here. It may be a matter of indifference to the committee; it may be a matter of indifference to a great many Senators and to a great many people; but it is an unnatural and an unusual way of disposing of the remains of deceased persons. I do not for a moment assent to the conclusion that if a man is in the naval or military service of the United States and dies from a disease that is contagious or infectious, it is within the province of the Government to dispose of his remains in this way.

That rule would not apply to the case of a private citizen where there was no assent of the relatives to a disposition of his remains in that manner. I do not know whether I can change these provisions, Mr. President, but I want to put my emphatic seal of condemnation, so far as it may go, upon the absolute and, to me, inexcusable barbarity of incorporating a cruel provision of this character in any legislation.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 12, line 10, after the word "stations," to insert "and the marine-hospital sanatorium, Fort Stanton, N. Mex.;" so as to make the clause read:

Heating apparatus for public buildings: For heating, hoisting, and ventilating apparatus, and repairs to the same, for all public buildings, including marine hospitals and quarantine stations, and the marine-hospital sanatorium, Fort Stanton, N. Mex., under control of the Treasury Department, exclusive of personal services, except for work done by contract, \$150,000.

The amendment was agreed to.

The next amendment was, at the top of page 14, to insert:

Rockland Breakwater, Maine, pier-head light: For the construction of a light station on the outer end of the Rockland Breakwater, consisting of a stone pier supporting a small dwelling with a light and fog signal, \$30,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 12, to insert:

Pollock Rip Shoals, Massachusetts: For additional amount for establishing a light-house and fog signal or light-ship at a point north of the bell buoy near the broken part of Pollock Rip Shoals, at the northeastern entrance of Nantucket Shoals, Massachusetts, \$5,000.

Mr. LODGE. I should like to ask the Senator from Iowa if this is in addition to the prior appropriation of \$80,000.

Mr. ALLISON. It is.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 15, line 11, before the word "dredging," to strike out "and," and in the same line, after the word "basin," to insert "and repairs and improvements to buildings and grounds and erection of new buildings where necessary to replace old buildings;" so as to make the clause read:

Staten Island light-house depot, New York: For continuing the construction of the sea wall, rebuilding wharves, dredging the basin, and repairs and improvements to buildings and grounds and erection of new buildings where necessary to replace old buildings at the general light-house depot at Tompkinsville, Staten Island, N. Y., \$25,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 15, to insert:

Delaware Bay light and fog signal: For establishing a light and fog signal on the new breakwater, harbor of refuge, Delaware Bay, \$30,000.

The amendment was agreed to.

The next amendment was, on page 16, line 10, before the word "thousand," to strike out "fifty" and insert "eighty;" so as to make the clause read:

Sabine Bank light and fog-signal station, Texas: For establishing a light and fog-signal station on Sabine Bank, in the Gulf of Mexico, off Sabine Pass, \$80,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 23, to insert:

Toledo Harbor light and fog-signal station, Ohio: The Secretary of the Treasury is hereby authorized to enter into a contract for the construction of a light and fog-signal station to mark the outer end of the main channel entrance to Toledo Harbor, Ohio, at a total cost of \$100,000.

The amendment was agreed to.

The next amendment was, on page 17, after line 9, to insert:

Grosse Pointe light vessel, Michigan: That the appropriation of \$15,000 made by the sundry civil appropriation act approved July 1, 1898, for constructing, equipping, and outfitting complete for service a steam light vessel, with steam fog signal, at Poe Reef, Straits of Mackinac, Michigan, is hereby reappropriated and made available for constructing, equipping, and outfitting complete a new light vessel for Grosse Pointe, Michigan.

The amendment was agreed to.

The next amendment was, on page 17, after line 18, to insert:

Head of St. Marys River, Michigan: For additional amount for establishing an additional set of range lights to mark the channel at the entrance of St. Marys River, \$2,700.

The amendment was agreed to.

The next amendment was, on page 17, after line 22, to insert:

Grosse Isle South Channel range light station, Michigan: For building a dwelling for the light keeper at Grosse Isle South Channel range light station, Detroit River, Michigan, \$3,500.

The amendment was agreed to.

The next amendment was, on page 18, after line 2, to insert:

Grosse Isle North Channel range light station, Michigan: For building a light keeper's dwelling at Grosse Isle North Channel range light station, Detroit River, Michigan, \$3,000.

The amendment was agreed to.

The next amendment was, on page 18, after line 11, to insert:

Relief light vessel for the Twelfth and Thirteenth light-house districts (Pacific coast): Toward constructing, equipping, and outfitting, complete for service, a first-class steam light vessel, with steam fog signal, \$40,000; and the total cost of said light vessel, under a contract which is hereby authorized therefor, shall not exceed \$80,000.

The amendment was agreed to.

The next amendment was, on page 18, line 19, after the word "district," to strike out:

The Secretary of the Treasury is hereby authorized to enter into a contract for the construction of a large, powerful, seagoing tender heretofore authorized for the Thirteenth light-house district, at a total cost not exceeding \$120,000.

And insert:

For additional amount for the construction of a large, powerful, seagoing tender heretofore authorized for the Thirteenth light-house district, \$20,000; and the Secretary of the Treasury is hereby authorized to enter into a contract for such construction at a total cost not to exceed \$120,000.

The amendment was agreed to.

The next amendment was, on page 19, after line 8, to insert:

Desdemona Sands, mouth of Columbia River, Oregon: For establishing a light and fog-signal station near the lower end of the Middle Ground, Desdemona Sands, Columbia River, Oregon, in addition to the unexpended balance of the appropriation of \$11,000, in the act of June 11, 1896, for Fort Stevens light and fog-signal station, mouth of Columbia River, Oregon, which is hereby reappropriated and made available for the light and fog-signal station at or near the Middle Ground, Columbia River, \$24,000.

The amendment was agreed to.

The next amendment was, on page 19, after line 18, to insert:

Slip Point light-house and fog signal, Washington: For establishing a light-house and fog signal at Slip Point, Clallam Bay, State of Washington, \$12,500.

The amendment was agreed to.

The next amendment was, on page 20, after line 8, to insert:

Joint light-houses and fog-signal stations in Alaskan waters: To enable the Secretary of the Treasury to establish, under the direction and supervision of the Light-House Board, joint light-houses and fog-signal stations in Alaskan waters, \$150,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 21, line 8, after the word "lights," to insert "including purchase of land for same," and in line 12, before the word "thousand," to strike out "twenty-five" and insert "forty;" so as to make the clause read:

Repairs of light-houses: for repairing, protecting, and improving light-houses and buildings; for improvements to grounds connected therewith; for establishing and repairing day marks and pierhead and other beacon lights, including purchase of land for same; for illuminating apparatus and machinery to replace that already in use, and for all other necessary incidental expenses relating to these various objects, \$640,000.

Mr. LODGE. I should like to ask the Senator from Iowa—he may remember that I introduced an amendment to change the characteristic of the Cape Cod light—if this is intended to cover that expenditure? It is a very important change.

Mr. ALLISON. I understand that the increase is made at the request of the Light-House Board. They appeared before us and requested this.

Mr. LODGE. They approved of my amendment to change the characteristic, and I wanted to know whether it was included. I supposed this amendment included it, because it is the exact amount asked for.

Mr. ALLISON. It does include it, and was intended for that purpose.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 23, line 3, after the word "dollars," to insert:

The Light-House Board is hereby authorized and directed to establish suitable lights at the mouths of Warroad and Rainy rivers, Lake of the Woods, in Minnesota.

The amendment was agreed to.

The next amendment was, on page 23, after line 5, to insert:

Lighting ship channels: For lighting ship channels constructed by the United States on the Great Lakes and their connecting waters, in cases where the interests of safe navigation may require, and where lights have not been established by law, \$6,000, to be expended under contracts to be made by the Light-House Board.

The amendment was agreed to.

The next amendment was, on page 23, after line 15, to insert:

Porto Rican light-house establishment: To maintain existing lights on the island of Porto Rico, \$60,000, to be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "Life-Saving Service," at the top of page 24, to insert:

For one superintendent for the coasts of Rhode Island and Fishers Island, to be known as the Third Life-Saving district, \$1,600.

The amendment was agreed to.

The next amendment was, on page 24, line 5, before the words "Long Island," to strike out "coasts of Rhode Island and" and insert "coast of," and in the same line, before the word "hundred," to strike out "eight" and insert "six;" so as to make the clause read:

For one superintendent for the coast of Long Island, \$1,600.

The amendment was agreed to.

The next amendment was, on page 24, after line 6, to strike out:

For one assistant superintendent for the coasts of Rhode Island and Long Island, \$1,200.

The amendment was agreed to.

The next amendment was, on page 25, line 9, before the word "hundred," to strike out "seven" and insert "nine;" so as to make the clause read:

For one superintendent for the life-saving and lifeboat stations on the coasts of Washington, Oregon, and California, \$1,800; in all, \$21,900.

The amendment was agreed to.

The next amendment was, after the word "dollars," in line 9, page 25, to insert:

The Secretary of the Treasury may change the serial numbers of the several districts as may be necessary to conform to the provisions of this act.

The amendment was agreed to.

The next amendment was, under the subhead "Revenue-Cutter Service," on page 27, after line 24, to insert:

For the purchase or construction of a suitable launch for the customs service at and in the vicinity of Astoria, Oreg., \$2,500; and the sum of \$2,500 appropriated by the sundry civil act approved March 3, 1899, for constructing such launch is hereby made available for the purchase or construction of the same.

The amendment was agreed to.

The next amendment was, on page 28, after line 6, to insert:

For the construction, or purchase, under the direction of the Secretary of the Treasury, of a vessel to be used and equipped as a revenue cutter of

the third class for service on the St. Marys River, Michigan, for the purpose of protecting the revenue and enforcing the rules of navigation on said river, \$37,500; and the total cost of said vessel, either by purchase or under a contract, which is hereby authorized therefor, shall not exceed \$75,000.

The amendment was agreed to.

The next amendment was, under the subhead "Engraving and printing," on page 30, after line 2, to insert:

For rent of office now occupied by agent of the Post-Office Department to supervise the distribution of stamps of the Bureau of Engraving and Printing, at the rate of \$50 per month, \$600.

The amendment was agreed to.

The next amendment was, on page 32, line 19, after the word "instruments," to insert: "and the lease of sites where necessary and the erection of temporary magnetic buildings;" and on page 33, line 1, after the word "dollars," to insert "to continue available until expended;" so as to make the clause read:

For continuing magnetic observations and to establish meridian lines in connection therewith in all parts of the United States, and for making magnetic observations in other regions under the jurisdiction of the United States, including the purchase of additional magnetic instruments, and the lease of sites where necessary and the erection of temporary magnetic buildings, for continuing the line of exact levels between the Atlantic, Pacific, and Gulf coasts; for furnishing points to State surveys, to be applied as far as practicable in States where points have not been furnished; for determinations of geographical positions and for continuing gravity observations, \$50,000, to continue available until expended.

The amendment was agreed to.

The next amendment was, on page 34, line 2, after the word "dollars," to insert "to continue available until expended;" so as to make the clause read:

For repairs and maintenance of vessels: For repairs and maintenance of the complement of vessels used in the Coast and Geodetic Survey, including the traveling expenses of the person inspecting the repairs, \$29,600, to continue available until expended.

The amendment was agreed to.

The next amendment was, on page 34, after line 3, to insert:

For purchase or construction of one small steamer, to be immediately available, \$20,000.

The amendment was agreed to.

The next amendment was, on page 34, after line 24, to insert:

For one assistant, \$2,400.

The amendment was agreed to.

The next amendment was, on page 35, line 16, to increase the total appropriation for salaries Coast and Geodetic Survey, from \$114,060 to \$116,460.

The amendment was agreed to.

The next amendment was, on page 36, line 15, after the word "two," to strike out "clerks of class 3;" so as to make the clause read:

For two, at \$1,600 each.

The amendment was agreed to.

The next amendment was, on page 36, after line 23, to strike out:

For one, at \$2,400.

The amendment was agreed to.

The next amendment was, on page 37, line 21, after the word "seven," to strike out "clerks of class 1;" so as to make the clause read:

For seven, at \$1,200 each.

The amendment was agreed to.

The next amendment was, on page 38, line 11, to reduce the total appropriation for pay for office force, Coast and Geodetic Survey, from \$144,040 to \$141,640.

The amendment was agreed to.

The next amendment was, under the head of "Smithsonian Institution," on page 40, line 4, before the word "dollars," to insert "five hundred;" so as to make the clause read:

American ethnology: For continuing ethnological researches among the American Indians, under the direction of the Smithsonian Institution, including salaries or compensation of all necessary employees and the purchase of necessary books and periodicals, \$50,000, of which sum not exceeding \$1,500 may be used for rent of building.

The amendment was agreed to.

The next amendment was, on page 41, after line 5, to insert:

For purchase of specimens to supply deficiencies in the collections of the National Museum, \$10,000.

The amendment was agreed to.

The next amendment was, on page 42, line 6, in the clause relating to the National Zoological Park, after the word "earth," to insert the following proviso:

Provided, That the unexpended balance of the amounts, aggregating \$8,000, heretofore appropriated for widening, grading, and regulating Adams Mill road from Columbia road to the Zoological Park entrance is hereby reappropriated, to be expended under the direction of the Commissioners of the District of Columbia; and that the control of Adams Mill road is hereby vested in the said Commissioners, and all proceedings necessary to purchase or condemn the land necessary to widen said road as authorized by act approved March 3, 1899, providing for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, shall be taken by said Commissioners.

The amendment was agreed to.

The next amendment was, on page 42, after line 19, to insert:

For construction of a boundary fence around the National Zoological Park, including the cost of five entrance gates, \$20,000.

The amendment was agreed to.

The next amendment was, under the head of "Fish Commission," on page 43, line 13, to increase the appropriation for the salary of 8 firemen from \$540 each to \$600 each, and, in line 18, to increase the total appropriation for "Office of Fish Commission" from \$25,860 to \$26,040.

The amendment was agreed to.

The reading was continued to line 24, page 43.

Mr. ALLISON. On line 22, I move to strike out "bookkeeper \$1,080," and to insert in lieu thereof "clerk of class 1."

The amendment was agreed to.

Mr. ALLISON. Now, I move to change the total accordingly, striking out, in line 24, "two hundred" and inserting "three hundred and twenty," so as to read:

Seven thousand three hundred and twenty dollars.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 44, line 8, after the word "three," to insert "one clerk of class two;" in the same line, before the word "clerks," to strike out "three" and insert "two;" and in line 10, before the word "hundred," to strike out "two" and insert "four;" so as to make the clause read:

Division of fish culture—Office: Assistant in charge, \$2,700; superintendent of car and messenger service, \$1,600; 1 clerk of class 3; 1 clerk of class 2; 2 clerks of class 1; 1 copyist, \$720; in all, \$10,420.

The amendment was agreed to.

The next amendment was, on page 47, line 19, after the word "dollars," to strike out "laborer, \$540" and insert "two laborers, at \$600 each;" and in line 22, before the word "dollars," to strike out "two hundred and forty" and insert "nine hundred;" so as to make the clause read:

Leadville (Colo.) Station: Superintendent, \$1,500; foreman, \$1,200; 2 fish-culturists, at \$900 each; skilled laborer, \$720; 2 laborers, at \$600 each; cook, \$480; in all, \$6,900.

The amendment was agreed to.

The next amendment was, on page 48, line 10, after the word "dollars," to insert "fish-culturist, \$900;" and in line 13, before the word "hundred," to strike out "three thousand four" and insert "four thousand three;" so as to make the clause read:

Clackamas (Oreg.) Station: Superintendent, \$1,500; fish-culturist, \$900; laborer, \$720; 2 laborers, at \$600 each; in all \$4,320.

The amendment was agreed to.

The next amendment was, on page 53, after line 8, to insert:

For establishing a fish-hatching and fish-culture station, including construction of buildings and ponds, and equipment, at some suitable point in Idaho, to be selected by the United States Commissioner of Fish and Fisheries, \$10,000, or so much thereof as may be necessary: *Provided*, That no part of this appropriation shall be used for the purchase of a site.

The amendment was agreed to.

The next amendment was, under the head of "Interstate Commerce Commission," on page 54, after line 24, to insert:

To enable the Interstate Commerce Commission to collect and compile a ten-year book, containing the statistical history of the railways of the United States, from 1891 to 1900, inclusive, \$10,000.

The amendment was agreed to.

The next amendment was, under the head of "Miscellaneous objects under the Treasury Department," on page 55, after line 11, to insert:

Office of the Secretary: For additional amount for two assistant engineers, office of chief clerk and superintendent, to make their salaries \$1,000 each per annum, \$560.

The amendment was agreed to.

The next amendment was, on page 55, after line 25, to increase the appropriation for punishment for violations of internal-revenue laws from \$75,000 to \$100,000.

The amendment was agreed to.

The next amendment was, on page 56, after line 12, to strike out:

Rent, Internal Revenue Service: For rental of temporary quarters for the accommodation of the collector of internal revenue at Syracuse, N. Y., \$3,000.

The amendment was agreed to.

The next amendment was, on page 57, after line 17, to insert:

For new machinery and appliances for the new United States mint building at Denver, Colo., \$150,000.

The amendment was agreed to.

The next amendment was, on page 58, line 8, before the word "counters," to strike out "two" and insert "three;" so as to make the clause read:

Distinctive paper for United States securities: For paper, including transportation, salaries of register, 3 counters, 5 watchmen, 1 laborer, and expenses of officer detailed from the Treasury as superintendent, \$135,000.

The amendment was agreed to.

The reading of the bill was continued to page 61, line 19.

Mr. ALLISON. On page 61 I move to strike out lines 17, 18, and 19, in the following words:

No portion of the amount herein appropriated shall be used for operating a system of pneumatic tubes for the transmission of postal matter.

The amendment was agreed to.

Mr. ALLISON. On page 61, after line 16, I move to insert:

Operation of pneumatic tubes: For supplying necessary power, and repairs to power plants, for operating pneumatic tubes for the transmission of mail matter, court-house and post-office buildings, Philadelphia, Pa., New York City and Brooklyn, N. Y., and the post-office and subtreasury building, Boston, Mass., \$20,000.

Under the contract made with the pneumatic-tube people in these three cities the Government of the United States furnishes them the power, and is required to do so by the contract. The provision which was struck out on my motion excluded the idea of furnishing the power; but inasmuch as we have already agreed in another bill to continue these contracts for another year, it is necessary for the Government to make this appropriation.

Mr. BUTLER. I will say to the Senator who has charge of the bill that that provision, which was put on the Post-Office appropriation bill in the Senate, has not yet passed Congress.

Mr. ALLISON. Undoubtedly, but this bill is also now passing through its various stages, and at least the provision in lines 17, 18, and 19 should be stricken out, in order that it also may go into conference. Should the conferees on the part of the House insist that no appropriation shall be made, of course the Senate conferees, with that clause stricken out here, would recede from this amendment of the Senate.

Mr. BUTLER. I can see how that could be done. To-day the House conferees on the Post-Office appropriation bill objected to the Senate amendment, and the House probably will not put it in. But however that is, if the amendment put in on the Post-Office appropriation bill by the Senate becomes a law we are paying \$225,000 for a service that everybody admits is exorbitant.

The contracts to which the Senator refers are tentative contracts. They are not legal and binding. They were read and discussed in the Senate a few days ago, and they all depend upon appropriations. Those who entered into those tentative contracts did it with notice that everything depended year after year upon whatever action Congress would take, and that there was no kind of a legal obligation upon the Government.

Now, Mr. President, I understood that when we put the \$225,000 into the Post-Office appropriation bill that that covered absolutely all the expense that the Government was to have. I so understood it from the way the contracts read. But however they read, they are dependent entirely upon what action we take, and it is admitted by the president of the company that the amount we are paying is excessive. He made a proposition that if we would extend the service, he would give it at a much lower rental. The post-office appropriation bill provides for investigating this whole question, with a view to the Government having its own plant.

I am not myself in favor of appropriating another cent further than the Senate put on the Post-Office appropriation bill, and that is entirely too much. In my judgment it is more rental per year than the whole pneumatic-tube system cost to build it. Twenty-eight thousand one hundred and twenty-five dollars a mile rental is what the Senate voted here the other day. I have no idea that it costs anywhere near that much to build these tubes. How could it cost more to make a hole in the ground and put in a little tube than it costs to build a railroad across a mountain?

Now, to come in here and appropriate \$20,000 in addition to that for furnishing power to them, it seems to me is absurd. The amount we put in the Post-Office appropriation bill is entirely too large if it covered every expense. This looks to me very much like piling up money for this concern and putting it in different bills because we could not stand it if it all came in one bill.

However that may be, Mr. President, it does not seem to me that there is any excuse for this provision going in here. I hope the House will disagree to the Senate amendment in regard to pneumatic tubes, and that we will have no more of them until the thing is investigated to know what it will cost to build them and operate them, and whether we are going to have to rent them or whether the Government shall build them. That provision will be made. It was agreed to-day by the conferees to put in the bill the provision for an investigation by the Post-Office Department. That will become a law, and I do not think we ought to do anything else. I hope the House will vote out the appropriation of \$225,000 from the Post-Office appropriation bill, but whether it does or not, we ought not to add to that appropriation the amount proposed here.

Mr. ALLISON. I sympathize with the Senator from North Carolina in respect to the cost of the operation of the pneumatic tubes and the rent we are paying for them. But the contract for these three places requires us to furnish the motive power. We are now furnishing the motive power, and the motive power is in the public buildings of the United States.

Mr. PETTIGREW. Our existing contracts, however, provide that they are subject to appropriations to be made by Congress.

Mr. ALLISON. Undoubtedly.

Mr. PETTIGREW. The existing contracts were made without authority of law by the Third Assistant Postmaster-General, who, the minute he went out of office, accepted service as the attorney or representative of the pneumatic tube company. It seems to me that if this appropriation is not made the contract can be modified to that extent, owing to failure on the part of Congress to make the appropriation, and that it would be very provident to save this much money.

Mr. ALLISON. It is only a question as to whether we shall carry out the contracts we have made or whether we shall not do so. It is the old question. I have no special concern about it. This being estimated for and being a part of the operation of the tubes, we proposed to insert it.

Mr. PETTIGREW. But do we not carry out the contract? In the first place, the contract was made without any authority of law. It was made by an Assistant Postmaster-General who apparently was not any too straight. It provides that it is only to be binding in consideration of Congress making the appropriation. I do not see where we are bound to make an appropriation to carry out the contract, but we do carry it out in fact if we fail to make the appropriation.

Mr. ALLISON. The amount proposed to be appropriated is the amount given the current year, and it is all expended in the public buildings where the pneumatic tubes are now being operated. These tubes are being operated in the various post-offices in the cities named. I have no concern about it. If it is not the wish of the Senate to appropriate for these tubes they can say so.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Iowa. [Putting the question.] The ayes seem to have it.

Mr. BUTLER. I ask for the yeas and nays on the amendment.

Mr. WOLCOTT. Mr. President, I desire to say a word on the amendment, if I am in order.

The PRESIDENT pro tempore. Certainly, the Senator is in order.

Mr. WOLCOTT. I wish to state that the conference committee on the Post-Office appropriation bill has not yet entirely agreed as to the appropriation of \$225,000 for the continuance for one year of the pneumatic-tube service already under contract; and I will say to the Senator from Iowa [Mr. ALLISON] that if, in the wisdom of the two Houses, that appropriation shall stay in that bill, this amount of money will be essential for the conduct of the business—the \$225,000 called for by the contracts with an agreement on our part to pay. We might just as well cut down the appropriation for pneumatic-tube service to \$25,000 and expect to carry out existing contracts as to cut out this amount of appropriation that is included in this bill.

I suggest to the Senator from North Carolina [Mr. BUTLER], instead of calling for a division at this time, that he let the provision stay in the bill now, and then if it be determined by the two Houses that the provision in the Post-Office appropriation bill shall go out in conference, this provision can be stricken out; but I suppose the Senator from North Carolina will concede, if the Senate and House shall keep the \$225,000 provision in the Post-Office appropriation bill, we have got to put this item in the bill now pending, have we not?

Mr. BUTLER. I will say to the Senator from Colorado that, as I understand these contracts, we can appropriate only half of the \$225,000 if we see fit to continue this service for another year, because the whole thing depends upon the action of Congress. We are not bound to appropriate a cent if we do not wish to do so.

Mr. WOLCOTT. I understand.

Mr. BUTLER. The whole thing depends on our appropriation. We can appropriate \$100,000 or \$150,000 or \$200,000 without violating any contract. The new contract begins with the appropriation. That is the way the clause reads.

Mr. ALLISON. I withdraw the amendment.

The PRESIDENT pro tempore. The amendment is withdrawn.

Mr. ALLISON. I also withdraw for the moment the amendment proposed in lines 17, 18, and 19, on page 61, so that the whole matter may go over.

The PRESIDENT pro tempore. The action of the Senate will be reconsidered, in the absence of objection.

Mr. ALLISON. Those three lines in relation to the system of pneumatic tubes were struck out, and the item, by unanimous consent, may be restored.

The PRESIDENT pro tempore. Without objection, the action of the Senate will be reconsidered, and the lines referred to will be restored to the bill.

Mr. PENROSE. I desire to state that I gave notice a week ago that I would to-day at 4 o'clock submit resolutions in memory of the Hon. DANIEL ERMENROUT, late a Representative from the State of Pennsylvania. I have no desire, however, to inconvenience Senators or to interfere with the appropriation bill; and if the Senator from Iowa desires to proceed for a short time longer, I shall not object.

Mr. ALLISON. I hope the Senator will yield for a half or three-quarters of an hour.

Mr. PENROSE. I will yield for half an hour, if the Senator so desires; but I hope I shall not be asked to yield for a longer time.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 67, line 19, to increase the appropriations for compensation in lieu of moieties from \$10,000 to \$20,000.

The amendment was agreed to.

The next amendment was, on page 63, after line 12, to insert:

For supplying the natives of Afognak Island, Alaska, with fishing nets, \$300.

The amendment was agreed to.

The next amendment was, on page 65, line 5, after the words "District of Columbia," to insert:

Under the supervision and control of the Secretary of the Treasury and under such rules and regulations as he shall prescribe for the proper execution of such laws and the investigation and hearing as to the rights of such Chinese and immigrants to admission into the United States.

So as to make the clause read:

Enforcement of alien contract labor laws: For the enforcement of the alien contract-labor laws and to prevent the immigration of convicts, lunatics, idiots, and persons liable to become a public charge, from foreign contiguous territory, \$150,000: *Provided*, That one special inspector, whose compensation shall be paid from this appropriation, may be detailed for duty in the bureau at Washington, and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and control of the Secretary of the Treasury and under such rules and regulations as he shall prescribe for the proper execution of such laws and the investigation and hearing as to the rights of such Chinese and immigrants to admission into the United States.

Mr. LODGE. Mr. President, I think the change of law which is made here in regard to putting all matters relating to the Chinese-exclusion act under the Commissioner-General of Immigration is an extremely good change. I think that under that officer should be placed all the matters relating to immigration, and not only to immigration itself, but the alien contract-labor laws and the Chinese-exclusion act. That office is for that purpose, and I think it makes a great deal better administration. I also think it important that the Commissioner-General of Immigration should be the person charged with this work, as the bill designs, and that he should be responsible to and act under the Secretary of the Treasury, and no one else.

I should like to suggest an amendment to the amendment of the committee, and I hope the chairman will have no objection to it. In line 7, instead of the word "he," I move to insert "the Commissioner-General of Immigration;" and in line 8, after the word "prescribe," to insert "subject to the approval of the Secretary of the Treasury;" so that it will read:

And under such rules and regulations as the Commissioner-General of Immigration shall prescribe, subject to the approval of the Secretary of the Treasury.

He is the proper person, it seems to me, to make the rules under the direction of the Secretary of the Treasury.

Mr. ALLISON. This is new legislation in this bill changing the law respecting the person who shall deal with the immigration of Chinese and alien contract laborers. The Committee on Appropriations hesitated somewhat respecting its duty regarding this legislation. The Senator from Massachusetts [Mr. LODGE] called my attention to the amendment he now proposes. At first it did not seem to me to be objectionable, and I do not know that it will materially change the situation, but this is a very important question.

The rules and regulations, it seems to me, should be made by a responsible officer of the Government having charge of this important branch of the service, and not by a subordinate. Therefore, on mature reflection, I think the language employed by the committee is wiser and better than the language proposed. The Commissioner-General of Immigration will, of course, be consulted and will have a part in the preparation of the rules and regulations.

Mr. LODGE. My objection is just this: The Secretary of the Treasury himself is not going to make these rules and regulations. Mr. ALLISON. I presume the Senator believes that the Secretary of the Treasury ought to be held responsible for them.

Mr. LODGE. I quite agree to that, and my amendment holds him responsible; but the work of making those rules and regulations will be done by somebody to whom he will depute it. I think the person to act, subject to his approval, is the Commissioner-General of Immigration; but if it is to be done by one of the Assistant Secretaries of the Treasury, then let us abolish the office of Commissioner-General of Immigration and make the Assistant Secretary of the Treasury responsible for that Bureau; do not let us have an officer charged with the specific work of regulating immigration and then have an Assistant Secretary of the Treasury called in to make rules and regulations for him. That is what I object to.

Mr. ALLISON. Of course the Senator from Massachusetts

knows very much more about this question than I do; but this only shows the vice of bringing into an appropriation bill important legislation without its first being considered by the committee having charge of the question. Therefore it was that the Committee on Appropriations thought it wise to retain in the Secretary of the Treasury, if this law is to be changed, all the powers he has now.

I care nothing about the matter, but it seems to me that in a proposition to change the law on an appropriation bill those who favor it ought to be content with a reasonable revision.

Mr. LODGE. If the Senator thinks it wise to strike it all out, beginning at the word "and," in line 1, and leaving us to deal with that question in the bill which I think the Senator from Vermont has reported, I have no objection in the world to it. I am perfectly willing to let the whole thing go and not legislate on an appropriation bill; but my amendment proposes to take no power from the Secretary of the Treasury; it simply provides that the person who shall make the rules under the approval of the Secretary of the Treasury shall be the Commissioner-General of Immigration. We ought to have some responsible head of that Bureau.

If we want to put it in an Assistant Secretary, let us mass it all under an Assistant Secretary and make him responsible; but we have got an arrangement here now whereby nobody is responsible; one man is overruling another, and the service is not good. We are adding very largely to the powers of the Commissioner-General, and I think wisely. I think it is in the interest of good administration, but it is not in the interest of good administration to have two subordinates clashing over these rules and regulations. One subordinate should be in charge of that department and responsible to the Secretary of the Treasury, not responsible to an Assistant Secretary.

Mr. ALLISON. The Senator and myself do not disagree about this matter. What I want to do is to hold the Secretary of the Treasury responsible for the administration of these laws.

Mr. LODGE. Surely the Senator does not think that my amendment changes it in that respect?

Mr. ALLISON. I think it does, because the responsibility is with the Commissioner-General of Immigration with the mere approval of the Secretary of the Treasury.

Mr. LODGE. The Treasury rules can not be adopted without the approval of the Secretary of the Treasury. The Senator knows very well that the words "under such rules and regulations as he shall prescribe" mean that the Secretary will depute the work to somebody else to draft those rules and regulations. He does not draw the rules and regulations which are made for the enforcement of the customs laws.

Mr. ALLISON. He can certainly impose that duty on the Commissioner-General.

Mr. LODGE. I want to make it clear in the law that we are going to impose it on him. If we are going to have a Commissioner-General of Immigration, let him do the work for which his office was instituted.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Massachusetts [Mr. LODGE] will be stated.

The SECRETARY. It is proposed to amend the committee amendment, on page 65, line 7, before the word "shall," by striking out the word "he" and inserting "the Commissioner-General of Immigration;" and after the word "prescribe," in line 8, by inserting "subject to the approval of the Secretary of the Treasury;" so as to make the amendment read:

Under the supervision and control of the Secretary of the Treasury and under such rules and regulations as the Commissioner-General of Immigration shall prescribe subject to the approval of the Secretary of the Treasury, for the proper execution of such laws and the investigation and hearing as to the rights of such Chinese and immigrants to admission into the United States.

Mr. CHANDLER. Mr. President, I do not concur in the suggestion of the Senator from Massachusetts [Mr. LODGE] that the whole provision should be stricken out. I think it desirable that the House requirement should be retained, putting the enforcement of the laws in reference to Chinese immigration under the Commissioner-General of Immigration. As the law now stands the Commissioner-General of Immigration is an officer in the Treasury Department, under the control and supervision of the Secretary of the Treasury, and he has charge, under the Secretary of the Treasury, of the administration of the alien contract-labor laws as well as the general immigration laws.

There has been a dual jurisdiction in the Treasury Department. The Secretary, through an Assistant Secretary, has administered the Chinese-exclusion act, while the Commissioner-General of Immigration has had the ordinary immigration laws, and lately the alien contract labor laws, to administer.

The House provision is necessary. Of course the Commissioner-General of Immigration has to perform his duties "under the supervision and control of the Secretary of the Treasury." That is the first line of the amendment proposed by the committee. Those words are unnecessary, because that is the condition of the

Commissioner-General without those words; but of course there is no objection to them.

Mr. ALLISON. If the Senator will allow me to interrupt him, it was not clear to the committee that that would be true. The phraseology employed transferring these duties to the Commissioner-General of Immigration gives him entire charge of this subject; and therefore, pro tanto, it would repeal the provision of the law to which the Senator has referred.

Mr. CHANDLER. No.

Mr. ALLISON. It might; and therefore we want to make it clear that it shall not.

Mr. CHANDLER. I do not object to those words. I only want to show the Senator from Iowa that there is no need of them. This is the language of the law:

The Commissioner-General of Immigration shall be an officer in the Treasury Department under the control and supervision of the Secretary of the Treasury.

When you increase his duties you do not take him out from under that control and supervision.

Mr. ALLISON. You do not, unless the phraseology takes him out. There was so much doubt about it that we thought it better to insert phraseology that would be potential to keep him in.

Mr. CHANDLER. There is not any doubt about it. But I am not criticising the committee for moving to insert those words in the bill.

I think the amendment proposed by the Senator from Massachusetts should be adopted, because I believe we ought to give the Commissioner-General of Immigration large and full power in all this business, subject to the control and supervision of the Secretary of the Treasury. I would myself be willing to have the amendment of the committee stop after the word "Treasury," in line 7, because I do not see the slightest need of the last part of the provision:

and under such rules and regulations as he shall prescribe for the proper execution of such laws—

That is, the immigration laws—

and the investigation and hearing as to the rights of such Chinese and immigrants to admission into the United States.

It is a mere reiteration of what is in the statute now. If the Senator from Massachusetts were willing, I should prefer to leave that all out, and leave the clause exactly as it stood, the doubt being solved which has been stated by the Senator from Iowa; but if we are to reenact this provision about rules and regulations and put in special provisions as to "investigation and hearing as to the rights of such Chinese and immigrants to admission into the United States," which investigation and hearing are already provided for by existing law and already take place under the existing custom, I think the Commissioner-General of Immigration, who gives special attention to this subject, should have the privilege, which the Senator from Massachusetts seeks to secure for him, of writing out the rules and regulations and having them adopted, provided they meet with the approval of the Secretary of the Treasury, and not be in the condition of having an Assistant Secretary make the rules and regulations and getting them signed by the Secretary of the Treasury, and thus be at a disadvantage in the performance of the function of framing such rules and regulations. Therefore I wish the Senator from Iowa would compromise this little question under debate by leaving out all after the word "Treasury," in line 7; and if not, then I hope the amendment proposed by the Senator from Massachusetts may be adopted.

Mr. BERRY. Mr. President, I hope the amendment offered by the Senator from Massachusetts will not be adopted. There are a number of members of the Committee on Appropriations who are opposed to enlarging the powers of the Commissioner-General of Immigration in any way whatever, and who especially thought that it ought not to have been done in a bill from the House of Representatives making appropriations for the expenses of the Government; but after a thorough consideration of the question and after consultation it was agreed to insert in the bill the amendment proposed by the committee, which still left the Secretary of the Treasury responsible for this work of making the rules and regulations.

I think the committee amendment leaves the matter precisely as it should be. If we are going to enlarge the power of the Commissioner-General at all, he ought to be under the supervision and control of the Secretary of the Treasury, who should be held responsible to the Government for carrying out the duties prescribed in the law.

Mr. PENROSE. Mr. President, as the Senator from Iowa [Mr. ALLISON] has stated, this matter, which is new legislation, has not been referred to the Committee on Immigration; but the Senator from Massachusetts [Mr. LODGE] and the Senator from New Hampshire [Mr. CHANDLER] are both members of that committee.

I desire to state as chairman of the committee that my attention has been called to this provision, and that, in my opinion, this whole system of supervision and control will be ineffective, null, and void unless the amendment of the Senator from Massachusetts shall be adopted.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The question is on the amendment proposed by the Senator from Massachusetts [Mr. LODGE] to the amendment reported by the Committee on Appropriations.

Mr. CLAY. I ask that that amendment may be read.

The PRESIDING OFFICER. The amendment to the amendment will be again stated.

The Secretary again read the amendment of Mr. LODGE to the amendment of the Committee on Appropriations.

Mr. ALLEN. Mr. President, I do not think it makes so much difference whether the Assistant Secretary of the Treasury or the Commissioner-General of Immigration shall prescribe the rules by which the Chinese-exclusion act shall be enforced. I think the vital question here is whether we are to nullify by this provision the Chinese-exclusion act entirely and indirectly repeal it, for that is the legal effect in my judgment of the adoption of this amendment of the committee. In another place a bill is pending, and is being pressed very strongly, for the repeal entirely of the Chinese-exclusion act.

At the present time a number of important railroad companies are bringing into the United States Japanese contract laborers by the thousands, bringing them into the mountain States, the Pacific coast States. It is quite evident that a spirit is abroad in some circles to entirely nullify the Chinese-exclusion act and all its amendments and provisions and to permit this country to become flooded with a horde of people who are alien in religion, in spirit, and in purpose to our population.

I submit that this is rather a novel thing, at least for a legislative body, by subsequent enactment to authorize some executive officer to prescribe rules and regulations for the enforcement of a statute. I doubt if in the history of legislation in modern times an instance can be found where an officer is given power to prescribe his own rules and regulations for the enforcement of a statute.

I had always supposed that a statute itself was the full measure of the authority of the officer, and prescribed the rules for its own enforcement; but, Mr. President, it would seem that we are now entering upon new things very rapidly, that we are speedily drifting away from the ancient landmarks, and that now we must not only have a statute prescribe certain things, but we must, then, have a subsequent statute authorizing some officer, whose duty it has been made to enforce the law, to prescribe rules and regulations for its enforcement; which, being interpreted, of course means that he can enforce the law if he desires to do so, or he can nullify it by his rules, if he desires to do that.

Mr. President, look at this provision for a moment. All these matters are apparent as they are investigated:

Enforcement of alien contract-labor laws: For the enforcement of the alien contract-labor laws and to prevent the immigration of convicts, lunatics, idiots, and persons liable to become a public charge, from foreign contiguous territory, \$150,000.

This is in the nature of an exception:

Provided, That one special inspector, whose compensation shall be paid from this appropriation, may be detailed for duty in the bureau at Washington, and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia.

Then follows the committee amendment:

Under the supervision and control of the Secretary of the Treasury—

I emphasize now—

and under such rules and regulations as he shall prescribe for the proper execution of such laws and the investigation and hearing as to the rights of such Chinese and immigrants to admission into the United States.

The whole thing is left under the caprice of the Secretary of the Treasury, "under such rules and regulations as he shall prescribe." Suppose he fails to prescribe any rules; suppose he should be of the opinion that the Chinese exclusion act is not a wise public statute, and, therefore, should not be enforced in its full spirit; and, thus believing, he should refuse to prescribe any rules for its execution or should prescribe rules which would be abortive for that purpose, there is no power in this bill or elsewhere to compel him to perform his duty and execute the Chinese exclusion act in its full spirit and purpose.

Then, Mr. President, we transfer a clear, judicial power by this amendment from the judiciary of the United States, and of the States for that matter, to this administrative officer; we transfer the power of "investigation and hearing as to the rights of such Chinese and immigrants to admission into the United States;" and there is no appeal from what this officer may determine.

If the Secretary of the Treasury—learned always, of course, in financial matters, possibly somewhat weak in his knowledge of jurisprudence—shall see fit, on investigating a given case, to say a given Chinaman is entitled to a residence in this country, that is an end to the controversy. It takes away from the judicial power of the nation its jurisdiction to inquire into the fact and adjudicate the status of one of these persons whose right to a residence in this country may be questioned.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from South Carolina?

Mr. ALLEN. I do.

Mr. TILLMAN. I am trying to get light on this question, and I should like to know of the Senator whether, in his judgment, the power supposed to be given here, allowing the Secretary of the Treasury to make rules and regulations, involves the repeal of the law or the modification of the law, or do these words contemplate just such official supervision and mode of procedure as would indicate how the law should be executed.

Mr. ALLEN. The power to construe a law is a judicial power. It is not an executive or an administrative power.

Mr. TILLMAN. I am trying to get light from the Senator as to what his contention is—that the words “under such rules and regulations as he shall prescribe for the proper execution of such laws” would give the Secretary the power to repeal those laws?

Mr. ALLEN. Yes; it is a repeal of those laws.

Mr. TILLMAN. I do not so understand it. Still it may be.

Mr. PENROSE. I should like to make a suggestion to the Senator from Nebraska.

Mr. ALLEN. Certainly.

Mr. PENROSE. I have already yielded more than half an hour. I wish to submit some resolutions, of which I have heretofore given notice, and as the debate gives every evidence of being somewhat lengthy, and there are other Senators who desire to be heard, I suggest that the Senator from Nebraska continue his remarks to-morrow when we take up the bill, and that I be permitted to proceed.

Mr. ALLEN. Certainly. I desire, however, to retain the floor upon this question.

The PRESIDING OFFICER. The Chair so understands the Senator from Nebraska.

EULOGIES ON THE LATE REPRESENTATIVE ERMENTROUT.

Mr. PENROSE. Mr. President, I ask the Chair to lay before the Senate the resolutions of the House of Representatives in reference to the death of my late colleague in that body, Mr. ERMENTROUT.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, February 3, 1900.

Resolved, That the House has heard with profound sorrow the announcement of the death of Hon. DANIEL ERMENTROUT, late a member of the House of Representatives from the State of Pennsylvania.

Resolved, That the business of the House be now suspended that opportunity may be given for fitting tribute to his memory.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy of the same to the family of the deceased.

Resolved, That as an additional mark of respect the House, at the conclusion of these memorial proceedings, do adjourn.

Mr. PENROSE. Mr. President, I offer the resolutions I send to the desk.

The PRESIDING OFFICER. The Senator from Pennsylvania offers resolutions, which will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep and profound sorrow of the death of Hon. DANIEL ERMENTROUT, late a Representative from the State of Pennsylvania.

Resolved, That the business of the Senate be now suspended in order that fitting tribute may be paid to his eminent public services and high personal character.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the resolutions submitted by the Senator from Pennsylvania.

The resolutions were unanimously agreed to.

Mr. PENROSE. Mr. President, DANIEL ERMENTROUT was born in the city of Reading, in the county of Berks, in the State of Pennsylvania, January 24, 1837. He was descended from a long line of sturdy, industrious, and substantial Pennsylvania German ancestors. His great-great-grandfather, John Ermentrout, in 1739 came from the Palatinate and settled in Berks County. His great-grandfather, Christopher Ermentrout, his grandfather, John E. Ermentrout, and his father, William E. Ermentrout, were all natives and lifelong residents, as was DANIEL ERMENTROUT, of Berks County.

DANIEL ERMENTROUT was educated in the public and classical schools of his native city of Reading, at Franklin and Marshall College, Lancaster, and at Elmwood Institute, Norristown, Pa. He studied law and was admitted to practice in the courts of Berks County in August, 1859. He was elected district attorney of Berks County for three years in 1862. He was solicitor for the city of Reading from 1867 to 1870. He was elected to the State Senate of Pennsylvania in 1873 for a term of three years, and re-elected in 1876 for four years. He was a member of the board of school control of Reading for many years, and was appointed in October, 1877, by Governor Hartranft, a member of the Pennsylvania statutory commission. He was several times chairman of the Democratic county committee of Berks County and was elected delegate to various State and national conventions. In 1880 he was elected as a member to represent Berks County, then constituting the Eighth Congressional district of Pennsylvania, in the Forty-seventh Congress, and was successively reelected to the Forty-eighth, Forty-ninth, and Fiftieth Congresses, his services ending March 4, 1889. He was again elected in 1896 as a Democrat to represent Berks and Lehigh counties, constituting the Ninth Congressional district of Pennsylvania, in the Fifty-fifth Congress and was reelected to the present Congress.

By inheritance and conviction DANIEL ERMENTROUT was preeminently a Democrat and a typical representative of the Berks-Lehigh Congressional district, which is a stronghold of Democracy in the State of Pennsylvania. This district embraces some of the most beautiful, fertile, and resourceful parts of the State, and the inhabitants of the district are counted among our most intelligent, vigorous, and progressive citizens. Their history illustrates their courage and their devotion to civil and religious liberty. The first settlements within the present limits of Berks County were made as early as 1704 by some English members of the Society of Friends, French Huguenots, and German immigrants from the Palatinate.

The Huguenots who settled in Berks County first endeavored to find a home in New York, having been obliged to flee from Frankenthal in the Palatinate, but were subsequently compelled to move to Pennsylvania on account of difficulties involving the title to their lands. The experiences of these early settlers were well calculated to develop a brave and hardy people. Settlement was begun in Tulpehocken in 1723 by some Germans who had fled from the Palatinate in 1708 and 1709 and taken refuge in England at the invitation of Queen Anne. In 1709, 3,000 of these refugees embarked at London in ten ships for New York. Nearly one-half of them perished on the voyage. The survivors arrived in New York in 1710 and settled at various points on the Hudson. While rejoicing, however, in the prospect of peace and prosperity, they were suddenly notified that the lands which they had improved belonged to the State, and that they must relinquish them to the lawful claimants. Submitting to their adverse fate they removed to Pennsylvania, where they settled among the Indians. The progressive and industrious Germans soon encroached more and more upon the Indians. Wars with the natives continued from 1744 to 1764. The Indians devastated by fire and slaughter many parts of the country; hundreds of houses were laid in ashes; hundreds of persons were scalped and slain; and many, without distinction as to age or sex, were taken captives by the savages and submitted to tortures from which death was a blessed release. These troubles continued until the Indians were finally driven beyond the Allegheny Mountains in 1778.

The county of Lehigh, constituting the other county in the Ninth Congressional district, possesses characteristics in many respects similar to those of Berks County. The greater part of the early settlers were Germans, the present population is chiefly of German descent, and in the history of the county we witness similar struggles of the hardy German pioneers.

The inhabitants of the district, being for the most part immigrants or descendants of immigrants who removed from their native countries to escape civil oppression and religious persecution, have always been imbued with sturdy American patriotic sentiment and have been foremost in all the struggles in the history of our country. The Germans have given character to the district in language and customs. For many years the German tongue was almost exclusively spoken, and it is still used in social intercourse and religious worship by a considerable portion of the population.

The schoolhouse has been reared contemporaneously with the church; secular education has gone hand in hand with religious instruction, and the schoolmaster is regarded second only to the pastor in the importance of his functions. The people are noted for their industry, economy, and frugality; prosperity and thrift are found on every hand; the Moravians, the Dunkards, the Mennonites, the Amish, the Schwenkfelders, and other German sects have contributed to create an intelligent, vigorous, and progressive American citizenship.

The descendants of these heroic German settlers have developed

this fertile section of Pennsylvania until to-day it can fairly bear comparison in industrial and agricultural prosperity with any district of the United States. Much of this development has taken place during the lifetime of DANIEL ERMENROUT. He witnessed the city of Reading, on the banks of the beautiful Schuylkill River, grow from a small town containing a few thousand descendants of Germans from Wirtemberg and the Palatinate into a great manufacturing city, containing nearly 100,000 inhabitants. He saw the city of Allentown, in the neighboring county of his district, upon the Lehigh River, develop from the same small beginning into one of the most beautiful and prosperous cities in Pennsylvania. He saw during his lifetime this magnificent section develop its great agricultural resources and its vast deposits of coal, iron ore, zinc, copper, manganese, and other minerals.

Amid scenery unsurpassed he beheld the expanse of field, meadow, and woodland, dotted with farmhouses and barns, interspersed with thriving towns and villages, enlivened by the hum of machinery, the rolling of trains, and the smoke from the stacks of numerous furnaces, mills, and manufactories. As a descendant of those heroic German settlers who here sought civil and religious liberty, he could well speak with pride, as he was fond of doing, of this splendid culmination of their early struggles, of their industry, and of their progressive intelligence.

In this district, which any man might be proud to represent in the Congress of the United States, DANIEL ERMENROUT was honored in a preeminent degree, and it is a remarkable fact that while he was a member of Congress his brother was elected by the people of the section as a judge of court of common pleas, the two brothers thus holding at the same time the two most important offices in the gift of the people of that section.

DANIEL ERMENROUT possessed a large measure of literary cultivation. He had an intimate knowledge of the English, German, French, and Latin languages; and he of course spoke the Pennsylvania German dialect, which he claimed was often more vigorous and expressive than the English language. He had fine legal attainments, and might have become an eminent and successful lawyer had he not, like many another, been more and more taken away from the practice of the law by his absorption in public affairs. He was vigorous and tireless in his political efforts. An orator he possessed an impressive delivery and commanded attention by the directness and vigor of his thoughts and language. In politics and at the bar he was aggressive and fearless. He had many loyal friends and a wide and intimate acquaintance with the people of his district. He was an affectionate and indulgent husband and father. He had a sentimental appreciation of the beauties of nature, a love of friends, a fondness for good cheer, wit, humor, brilliancy of conversation, and many genial and excellent social qualities. His career was long, useful, and honorable. Such faults as he had will be forgotten; and the memory of "Uncle DAN," as he was familiarly called, will be cherished in cordial and appreciative recollection by the men and women of the district which so often honored him.

Mr. JONES of Arkansas. Mr. President, when I entered the House of Representatives as a member of the Forty-seventh Congress I found Mr. ERMENROUT just entering upon his service as one of the Pennsylvania delegation in that body. Belonging to the same political party, we soon formed an acquaintance, and a friendship sprung up between us which lasted throughout his life, and when his death was announced I felt that again I had suffered that great misfortune, the loss of a friend.

No matter how frequently the grim monster may invade the circle of our friends, each succeeding visit causes us a shock as if no such experience had ever come to us and as if we had never before encountered such a calamity. Frequent repetition accustoms us to most things, but not so with death; his visits are always startling and always surprise us. There is an appalling sense of this terrible change, which we are never prepared for and which never loses force by the frequency of its recurrence.

While Mr. ERMENROUT's health had not been robust for a considerable time past, somehow I had never felt that there was any immediate danger of his passing from us forever, and when the fact was announced it seemed impossible that it could be true.

We are never called to stand by the open grave of a departed friend but it brings back with vigor and force the great question of the Patriarch, to which it is said that the ages have brought no answer: "If a man die, shall he live again?" It is true that the development of science, the progress of learning, the experience of mankind have brought no answer to that great question.

But it is well for humanity that by faith and inspiration a triumphant answer came from the same lips which propounded the question, which answer has needed no additional strength from science, history, or experience to convince those who believe in the truths of revelation, when he said:

Oh, that my words were now written! oh that they were printed in a book! That they were graven with an iron pen and lead in the rock forever! For I know that my redeemer liveth, and that he shall stand at the latter day upon the earth:

And though after my skin worms destroy this body, yet in my flesh shall I see God:

Whom I shall see for myself, and mine eyes shall behold, and not another.

Nowhere in the bounds of human knowledge is there a more sublime truth, a grander hope, or higher inspiration than this triumphant declaration by the man of God. It has comforted the millions who have approached this great change, and it will shed light and happiness, comfort and consolation in the hearts and minds of millions yet to die. Mr. ERMENROUT lived an honest and upright life, discharged his duty to his country and himself, and was ready to enter upon that higher life for which the present is but a preparation.

There are not many left of those who began public life when he and I did, and if those remaining can leave as clear a record as did he, when their time shall come they, too, will be happy in a fitting end to honorable and useful lives.

Mr. MONEY. Mr. President, I am aware of the fact that it is usual and proper on an occasion like this to have something carefully prepared. This is a time-honored custom and a necessary one in order that in fitting and proper phrase the sentiment of the speaker toward the subject of his speech shall be properly expressed. I am, however, in a state of unpreparedness; but I am not willing that the occasion shall pass without saying some few words in testimony of the high character and the admirable qualities of my friend.

I was a member of the House of Representatives when Mr. ERMENROUT first entered it. I very soon became acquainted with him and recognized those fine qualities which betokened descent from a strain of the very best blood we have in this country. He and his for generations were born and lived in one of the most magnificent and beautiful and fruitful sections of this great Union. He came from a stock that loved liberty, that had fled from one country to another to obtain it, and to-day there is not in all the breadth of this Republic a people so devoted to personal and constitutional liberty as the people of the county where he lived, and their characteristics made them naturally Democrats. He was a stalwart partisan; not of that bitter character that delighted in the faults of his opponents, but one who from a sincere conviction of principle pushed his views with all the energy of which he was capable.

He was a successful lawyer and was frequently honored by the people in the line of his profession. He was a member of the State legislature, and a member of Congress for six terms, and was elected to the seventh. He did not cultivate the graces of oratory, but had an impressive and effective manner of speech that carried conviction to the minds of his hearers. He was devoted to principle. He never espoused a bad cause knowingly. To a good cause he gave all the energy and zeal of his nature.

DANIEL ERMENROUT had amiable and sympathetic qualities; a little less of the phlegm of his people; a little more sprightliness than is common among them, but yet with all their sturdy qualities. He came from that section of the Old World that threw its conquering tribes across the Rhine and sent through France into the Roman Empire new vigor which maintained its dominance for hundreds of years. From his country came those conquering and colonizing armies who to-day occupy Great Britain, and who laid the foundation of the Anglo-Saxon race to which we belong. From that part of Europe came a devotion to liberty, a love of personal equality, and a respect for women which has never been known elsewhere.

All these virtues belonging to these people ERMENROUT had inherited to a very high degree. He was always true in his friendships, faithful and loyal in his party relations, a good citizen, patriotic, devoted to his country, and in every relation of life was noted for his exemplary character.

To those akin to him he has left the memory of a useful and honorable life; to his friends the memory of a kind-hearted, sympathetic, and amiable companion; and to his country the example of a public-spirited, patriotic, and devoted citizen.

As life runs on, the faces change,
And near the end
The milestones into headstones turn;
'Neath every one a friend.

Mr. PENROSE. Mr. President, as a further mark of respect, I offer the resolution I send to the desk.

The PRESIDING OFFICER. The resolution of the Senator from Pennsylvania will be read.

The Secretary read the resolution, as follows:

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The PRESIDING OFFICER. The question is on agreeing to the resolution proposed by the Senator from Pennsylvania.

The resolution was unanimously agreed to; and (at 4 o'clock and 57 minutes p. m.) the Senate adjourned until to-morrow, Saturday, May 26, 1900, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, May 25, 1900.

The House met at 12 o'clock m., and was called to order by the Speaker.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read, corrected, and approved.

JACOB W. MOOAR.

The SPEAKER laid before the House the bill (H. R. 3267) granting an increase of pension to Jacob W. Mooar, with a Senate amendment.

The amendment was read, as follows:

In line 7 strike out "fifty" and insert "sixty."

Mr. SULLOWAY. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

WILLIAM H. LANE.

The SPEAKER laid before the House the bill (H. R. 5886) granting a pension to William H. Lane, with Senate amendments.

The Clerk read the Senate amendments, as follows:

Line 6, strike out "a member."

Line 8, strike out "twenty" and insert "fifteen."

Mr. SULLOWAY. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

MARGARET R. CLUNE.

The SPEAKER also laid before the House the bill (H. R. 8559) granting an increase of pension to Margaret R. Clune, with Senate amendments.

The Clerk read the Senate amendments, as follows:

Line 3, after "and" insert "he."

Line 6, before "lieutenant-colonel" insert "late."

Line 8, strike out "a" and insert "her."

Mr. SULLOWAY. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

GEORGE GARRETT.

The SPEAKER also laid before the House the bill (H. R. 7418) granting an increase of pension to George Garrett, with Senate amendment.

The Clerk read the Senate amendment.

Mr. RYAN of Pennsylvania. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. SULLOWAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House for the consideration of private pension bills and other bills on the Calendar, under the rule.

The SPEAKER. The gentleman from New Hampshire, chairman of the Committee on Invalid Pensions, moves that the House resolve itself into Committee of the Whole for the consideration of private pension bills and others, under the special rule.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, with Mr. CAPRON in the chair, for the consideration of private pension bills and other bills, under the special rule.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of bills on the Private Calendar—pension bills and others—under the special rule, and the Clerk will report the first bill.

JAMES H. WATERS.

The first bill on the Private Calendar was the bill (S. 28) to remove the charge of desertion from the military record of James H. Waters.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of James H. Waters, late of Company D, Sixteenth Regiment Massachusetts Volunteer Infantry, and to grant him an honorable discharge to date the 8th day of December, A. D. 1862: *Provided*, That no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.

Mr. TALBERT. Mr. Chairman, I ask for the reading of the report.

The CHAIRMAN. The report will be read in the gentleman's time.

The Clerk read the report (by Mr. CAPRON), as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 28) to remove the charge of desertion from the military record of James H. Wa-

ters, report the same back to the House with the recommendation that it do pass.

The aforesaid act was passed by the Senate February 24, 1900. The Senate Committee on Military Affairs made a very complete and exhaustive report on said act, which is hereby adopted and made a part of this report.

[Senate Report No. 309, Fifty-sixth Congress, first session.]

The Committee on Military Affairs, to whom was referred the bill (S. 28) to remove the charge of desertion from the military record of James H. Waters, have duly considered the same and submit the following report:

The bill (S. 28) authorizes the Secretary of War to remove the charge of desertion from the military record of James H. Waters, late a member of Company D, Sixteenth Regiment of Massachusetts Volunteer Infantry, and to grant him an honorable discharge, to date the 8th day of December, 1862: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of this act. Your committee obtained from the War Department the letter of January 18, 1900, hereto attached and made a part of this report.

This report shows that this soldier, aged 22 years, was duly mustered into the service July 12, 1861, in Company D, Sixteenth Regiment Massachusetts Volunteer Infantry, as a private, to serve three years, and served faithfully to June 30, 1862, being present at all musters, and is reported on the subsequent rolls to and including February 23, 1863, absent, sick, and on the muster roll of April 30, 1863, and the muster-out roll of July 27, 1864—his name having been dropped from the intervening rolls—is reported as having deserted at Newark January 3, 1863. The medical records show that he was admitted to the general hospital at Newark, N. J., August 20, 1862, with sunstroke (insolation) and that he was returned to (i. e., pronounced fit for) duty on January 13, 1863, and that of the medical officers on duty at that hospital in December, 1862, and January, 1863, Dr. Samuel H. Orton and seven others are dead.

Mr. TALBERT. Mr. Chairman, I do not care for the further reading of the report.

Mr. STEELE. I would like to hear the balance of the report read.

The Clerk proceeded, and read as follows:

Nothing has been found of record to show that he was furloughed from hospital, or that he received permission by the military authorities to leave the service, or that he was physically unable to perform the duties of a soldier at or about the time of his withdrawal from military control.

It does not appear that any application for removal of the charge of desertion and for an honorable discharge has been received from the soldier in this Department, and in the absence of any evidence indicating that he was prevented from completing his term of enlistment by reason of physical disability incurred in the line of duty it can not be determined whether any relief can be afforded in the case under existing law.

This soldier, in his petition to Congress for relief, under his oath, states in substance that he served with his company in peninsular campaign of 1862, and about August 14, 1862, at Harrison's Landing, Va., he was prostrated by sunstroke and sent to the field hospital, and thence to the general hospital at Newark, N. J., arriving there August 20, 1862, and remained under treatment there till the 8th day of December, 1862, when he was granted a pass or furlough by Dr. Samuel H. Orton, the surgeon in charge, to go to Nashua, N. H., where his widowed mother resided, and was informed by Dr. Orton that his discharge papers would be forwarded to him. In a subsequent affidavit this soldier states that Dr. Orton always told him he would never be fit for field work again.

With this pass he procured transportation home and went there and has remained there ever since, and has lost or mislaid such pass.

Three comrades testify to his conspicuous gallantry in four or five battles, and to his fidelity and exemplary conduct as a soldier. Three reputable citizens of Nashua, who knew the soldier prior to and ever since his enlistment, testify to seeing him on his return home and conversing with him, and that he told them he would remain at home, as he was expecting his discharge papers to be sent him. One of them asked him if he was to remain at home, to which he replied, "Yes; I am home on furlough, and expect my discharge soon." All testify to his appearance as a sick man.

One reputable witness, Terence Duffy, testified: "That said Waters came home to Nashua in December, 1862, on account of ill health, from the hospital at Newark, N. J., having with him a pass or permit granting him an absence of eight days, which pass or permit was shown at that time to affiant, who well and truly remembers having seen the same and having noticed the time of furlough therein mentioned; that said Waters, at the time he exhibited said pass, then and there declared that he had been promised an honorable discharge from the Army, which discharge was to be delivered to him during his furlough at home."

This is an exceptional case, in which the War Department under existing law would not have jurisdiction to remove the charge of desertion. His retention in the hospital from August 20, 1862, to December 8, 1862, shows protracting and continuous effects of the sunstroke, fully justifying Dr. Orton in telling him he would never be fit for field duty again and that he would have his discharge papers sent him, and giving him the pass or permit to go home.

The fact that he had such pass or permit is fully corroborated, and the statements he made on his arrival in Nashua about having the pass and returning home to stay and expecting his discharge papers to be sent him are fully and clearly established by four reputable affiants, and show beyond question there was no intention to desert the service. His open conduct and expressions carry with them proof of his innocence of the crime of desertion. His high character, integrity, and honorable conduct and life are established by the offices, honors, and trusts committed to him by his fellow-citizens.

In addition, the affidavit of Dr. A. W. Shea clearly shows his physical condition to have been such that he could not have performed the duties of a soldier in the field without great risk of fatal results, especially in hot weather.

Believing this case an exceptional one, and that a grievous wrong—in view of all the facts in this case—would be perpetuated upon this soldier and his children by this charge of desertion being left upon the records of the War Department, your committee report the bill back to the Senate favorably, and recommend its passage.

RECORD AND PENSION OFFICE, WAR DEPARTMENT,
Washington City, January 18, 1900.

SIR: Referring to your communication of yesterday, in which you request to be furnished with the full military and medical record of James H. Waters, late a member of Company D, Sixteenth Massachusetts Volunteers, together with any statements in regard to any leave of absence or furlough given to him at Newark (N. J.) general hospital, and the names of the surgeon and assistant surgeon in charge of said hospital in December, 1862, and January, 1863, I am directed by the Secretary of War to inform you as follows:

The records show that James H. Waters, aged 22 years, was enrolled and

mustered into service July 12, 1861, in Company D, Sixteenth Massachusetts Volunteers, as a private, to serve three years. On the muster rolls of his company to June 30, 1862, he is reported present, and on the subsequent rolls to February 28, 1863, he is reported absent, sick.

The medical records show that he was admitted to the general hospital at Newark, N. J., August 20, 1862, with sunstroke, insolation, and that he was returned to (i. e., pronounced fit for) duty on January 13, 1863. He is reported on the company muster roll, dated April 30, 1863, and on the company muster-out roll, dated July 27, 1864 (his name being dropped from the intervening muster rolls), as having deserted at Newark, January 3, 1863. He never rejoined his regiment, although he owed service to July 12, 1864.

The records show that the following-named medical officers, who were on duty at the general hospital at Newark, N. J., in December, 1862, and January, 1863, are deceased: Milton Baldwin, J. A. Cross, Samuel Jessup, A. L. Lowell, Samuel H. Orton, George Taylor, B. A. Watson, and William E. Whitehead. The following-named medical officers were also on duty at that hospital in the months before mentioned, viz: John H. Janeway, whose post-office address is No. 440 West End avenue, New York City; Ezra Rulling, whose post-office address is No. 84 Washington place, New York City; William B. Pierce, whose post-office address is not known, and Benjamin A. Segur, whose post-office address is post-office box No. 760, Brooklyn, N. Y.

Very respectfully,

F. C. AINSWORTH,
Chief Record and Pension Office.

Hon. F. M. COCKRELL, *United States Senate.*

Mr. STEELE. There was so much confusion, Mr. Chairman, that I could not hear all of the report. I am willing to give the applicant the benefit of the doubt in the case, but in my opinion, from what I could gather from the report, if the man was really sick and unable to return to his regiment, the War Department has authority to remove the charge of desertion.

The bill was laid aside to be reported to the House with a favorable recommendation.

BELLE BEAN.

The next business was the bill (S. 4215) granting a pension to Belle Bean.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Belle Bean, widow of Leonard W. Bean, late of Company E, First Regiment New Hampshire Cavalry Volunteers, and pay her a pension at the rate of \$8 per month and \$2 per month additional for her minor child, Amanda F. Bean, until said child reaches the age of 16 years.

Mr. TALBERT. Mr. Chairman, I ask for the reading of the report in this case. I see it is a Senate report, and as I understand it the committee does not always examine very closely the Senate bill. In this case I ask that the report from the Senate be read.

The Clerk read the report (by Mr. DRIGGS), as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 4215) granting a pension to Belle Bean, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 1009, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 4215) granting a pension to Belle Bean, have examined the same and report:

Leonard W. Bean was a member of Company E, First New Hampshire Cavalry, and while in the service received an injury to his head, which culminated in the loss of the sight of one eye and partial loss of the sight of the other. He was first pensioned at \$4 per month, which rate was increased from time to time until the date of his death, March 14, 1899, when he was receiving \$17 per month. His health gradually gave away, doubtless due, in part at least, to his military service. He died from Bright's disease.

His widow, claimant under this bill, realizing that she could not prove conclusively that soldier died from pensionable disabilities, did not apply for pension under the general law, but made application under the act of June 27, 1890. This application was rejected, for the reason that she was not married to the soldier until a short time after the passage of that act, and hence was barred from pension by its provisions.

The writer of this report is acquainted with the claimant, and knows that she is entirely destitute of property and dependent upon her own labor for the support of herself and a minor child. Under these circumstances it is deemed proper and right to waive the technical obstacle in the way of her being pensioned by the Bureau, and grant her the rate of pension provided in the act of June 27, 1890, to wit, \$8 per month, and \$2 per month additional for her minor child. This is what she would have received in the Bureau of Pensions had she been married to the soldier at the date of the passage of that act.

Your committee report the bill back favorably with a recommendation that it pass.

Mr. TALBERT. Mr. Chairman, I have no objection to the passage of this bill particularly, although it is outside of rules of law, but I want to call attention to the fact that the committee in this case have only adopted a report by the Senate. I have frequently called attention to that fact, and have called attention to the fact that the committee do not examine and investigate as closely a case when it comes from the Senate as they do bills that come before their own committee. In fact, it seems as if they only adopt the Senate report as theirs, and then expect the House to vote for it without even reading it or having any explanation of it whatever by anybody.

Now, in this connection, I want to call attention to a bill which passed this House, I believe, about two weeks ago—on May 11. It reads as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew F. Dinsmore, late of Company E, Third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

When that bill passed the House there was no comment on it. The report was not read. I hold that report in my hand. It is a Senate report adopted by the House committee. The report says that this man is helpless and unable to do anything; requires the attention of another person all the time. Since the passage of that bill it has crept out that this man to whom we gave a pension of \$72 a month is an employee in one of the Departments here, I believe the Interior, drawing a salary of \$1,800 a year, \$150 a month; and I understand—I do not know whether it is correct, and if it is not true I wish to be corrected—that he is also private secretary to one of the members of this House at a salary of \$1,200 a year—another \$100 per month.

That bill has very properly been recalled for reconsideration. As I have said, this man was already drawing a pension of \$24 a month, to which he is entitled; I think he ought to have that pension; but this increase of the pension to \$72 a month seems to have occurred through an oversight. I want to call the attention of the House to the facts in this case in further vindication of the position I have taken, that when we are considering these pension cases the reports ought to be read, some statement of the facts ought to be made, investigation ought to be had. We ought not to pass through these bills at breakneck speed without first hearing the reports read or having a statement of facts from some member.

Bearing on this question, I want to have read an editorial that appeared a few days ago in the Washington Post, a reputable paper of this city, a paper supporting the Republican Administration. I hope the House will listen to the reading. It will be very interesting reading to some of us.

Mr. SULLOWAY. Mr. Chairman—

The CHAIRMAN. Does the gentleman from South Carolina yield?

Mr. TALBERT. No, sir. This is a short editorial bearing directly on this question, and I want to have it read. I am not talking to kill time or to block the business of the House. I want this article read for the information of members, as I think they need some such information.

The Clerk read as follows from the Washington Post of May 22, 1900:

PRIVATE PENSION LEGISLATION.

In a recent communication to the Post Representative CALDERHEAD of Kansas indignantly repelled the charge made by this journal that abuse of legislative power had characterized the special legislation of Congress on the subject of pensions. The Post had stated its belief that, under our broad and liberal general pension laws, very few meritorious cases for special acts could arise.

That belief has not been shaken by anything that Representative CALDERHEAD put into his peppery letter. And we may add that the opinion of the well-informed newspapers of the country, regardless of parties or sections, coincides with the Post's estimate of the work performed by the private pension mills in the capital. And further, for the edification of Representative CALDERHEAD and those associated with him in the management of those mills, the Post again assures him and them that it has the approbation of an overwhelming majority of the men who did the fighting in our great war.

Among other indiscretions in Mr. CALDERHEAD's letter was a challenge to the Post to name a single case in which Congress had passed a private pension bill that should not have been enacted. The Post could easily name a long list of such cases, for it is a fact that nearly all private pensions are special favors, and many of them are cases that are taken out of their proper classes in an unjust and offensive discrimination against the equally meritorious who are drawing pensions under the general laws. Here is a case of that kind—a bill that went through the committee of which Mr. CALDERHEAD is an active member, and is now a law:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew F. Dinsmore, late of Company E, Third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving."

Mr. Dinsmore is a clerk in the General Land Office, drawing a salary of \$1,800. The Post does not contend, and never has contended, that a pension should be suspended while the man who draws it is in Government employment. There are many pensionable disabilities that do not disqualify for efficient service in the Departments. The pensions allowed for the loss of a leg or an arm are quite inadequate for the support of a family. It is right, therefore, it is in every way fitting, to give the maimed soldiers such public employment as they are qualified for without suspending their pensions. But a man who is totally disabled—and only such are entitled to \$72 a month under the general laws—is, of course, not able to do any work, clerical or otherwise. But here we have a man who is receiving, and, presumably earning, \$150 a month as a clerk, and whose name was on the pension rolls at \$24 a month, taken out of his class—taken from under the general laws and from the jurisdiction of the Pension Bureau—and jumped 300 per cent to \$72, the amount allowed by general acts to the totally helpless. From the report of the Senate Pensions Committee it appears that—

"Andrew F. Dinsmore enlisted June 10, 1861, and received a gunshot fracture of left thigh at the battle of Fair Oaks, Va., May 31, 1862, for which wound he was discharged April 9, 1863. On July 8, 1863, he enlisted in One hundred and thirty-seventh Company, Second Battalion, Veteran Reserve Corps, and was mustered out July 11, 1866. His disability at time of this enlistment, as shown by the official records, was:

"Gunshot wound of left thigh, muscles depressed, use of the limb not lost; general health quite good."

"In June, 1863, he first made claim for pension for gunshot wound of thigh, and at that time was allowed a pension at the rate of \$8 per month. Because of his reenlistment in the Veteran Reserve Corps this pension was dropped, and after his second discharge it was renewed at \$8 per month. It was increased to \$8 per month September 4, 1867; to \$10 per month September 19, 1878; to \$12 per month July 8, 1881; to \$18 per month June 15, 1882; and to \$24 per month March 3, 1883.

"On July 17, 1885, a reissue was made in his claim, allowing him \$8 per

month from April 10, 1863; \$15 per month from July 12, 1866; \$18 per month from June 4, 1872, and \$24 per month from March 8, 1883."

According to that report Mr. Dinsmore's pension, on reissue, was made to cover the time of his actual service under his second enlistment. The committee's report states that "he was last examined by a board of surgeons in this city April 11, 1898, and rated at \$24 for gunshot wound of left hip, disability being equivalent to the loss of a hand or foot for the purpose of manual labor."

Is there any reason or justice in taking a case like this away from the Pension Office and allowing 200 per cent more than the general laws allow the thousands of Mr. Dinsmore's crippled comrades in arms whose disabilities are rated the same as his? The Pensions Committees of both Houses appear to have disregarded the report of the regular examining board, and to have based their action on unofficial testimony, which, if true, would prove Mr. Dinsmore altogether unable to do any kind of work. Yet the fact that he is drawing a salary of \$1,800 ought to be positive proof that he is a very capable and efficient clerk.

When Mr. CALDERHEAD and his associates have digested that case it may be convenient to give other illustrations of the gross injustice and rank partiality which generally characterize their operations.

Mr. TALBERT. That editorial appeared a few days ago in one of the fairest and best newspapers of the United States, and, as I have said, supporting the Administration. I desire to insert, in connection with my remarks, the report of the committee on this case, making, as I have said, the statement that this man is utterly helpless, needing the attention of another person all the time:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3215) granting an increase of pension to Andrew F. Dinsmore, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 694, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 3215) granting an increase of pension to Andrew F. Dinsmore, have examined the same and report:

This bill proposes to increase from \$24 to \$72 per month the pension of Andrew F. Dinsmore, of Washington, D. C., late of Company E, Third Regiment Michigan Volunteer Infantry.

Andrew F. Dinsmore enlisted June 10, 1861, and received a gunshot fracture of left thigh at the battle of Fair Oaks, Va., May 31, 1862, for which wound he was discharged April 9, 1863. On July 8, 1863, he enlisted in One hundred and thirty-seventh Company, Second Battalion, Veteran Reserve Corps, and was mustered out July 11, 1866. His disability at time of this enlistment, as shown by the official records, was: "Gunshot wound of left thigh, muscles depressed, use of the limb not lost; general health quite good."

In June, 1863, he first made claim for pension for gunshot wound of thigh, and at that time was allowed a pension at the rate of \$8 per month. Because of his reenlistment in the Veteran Reserve Corps this pension was dropped, and after his second discharge it was renewed at \$6 per month. It was increased to \$8 per month September 4, 1867; to \$10 per month September 19, 1878; to \$12 per month July 8, 1881; to \$18 per month June 15, 1882, and to \$24 per month March 3, 1883.

On July 17, 1885, a reissue was made in his claim, allowing him \$8 per month from April 10, 1863; \$15 per month from July 12, 1866; \$18 per month from June 4, 1872, and \$24 per month from March 8, 1883.

On February 24, 1898, he made his last claim for increase, alleging a decided increase in the disability resulting from gunshot wound of left hip. This claim was rejected October 19, 1898, on the ground that \$24 per month was a proper rate for the disability caused by the pensioned wound.

In support of this claim for increase soldier filed the testimony of Dr. Harry Hurt, who states that the injury is located in upper third of thigh, the damage to tissue, both muscular and bony, being extensive, as shown by the wasting and deformity; that a portion of the upper third of femur is necrosed and from it extends a large sinus, which is constantly discharging pus, causing an inflammation and producing more or less blood poisoning by absorption, and that the wound needs constant attention and is a menace to life.

He was last examined by a board of surgeons in this city April 11, 1898, and rated at \$24 for gunshot wound of left hip, disability being equivalent to the loss of a hand or foot for the purpose of manual labor. The wound is described as follows:

"Scar of entrance of ball on left hip, 3 by 4 inches, discharging pus from a sinus leading to bone; scar is adherent, dragging, tender, with loss of soft and bony tissues beneath; another scar, circular, three-fourths inch in diameter on inner surface of left thigh, 6 inches from center of groin, slightly depressed, but not adherent or tender, said to be due to suppuration as a result of wound; another scar on inner surface of thigh, 3 inches behind preceding scar, 2 by three-fourths inches, slightly depressed, but not adherent or dragging; left thigh atrophied one-half inch; no atrophy of leg; no shortening of thigh, but considerable thickening of bony tissue at seat of injury; no lameness in walking, but he claims that the limb gives out after prolonged exercise."

The board also states that claimant has some rheumatism, which is rated at six-eighths, and a small cluster of varicose veins on left leg, rated at twelve-eighths.

Evidence of physicians and intimate associates filed with this committee shows that claimant has been a great sufferer from acute periodical attacks, many times being confined to his bed for weeks and months, and under medical care; pus from running sore accumulated, threatening blood poisoning and necessitating operations, of which he has had many; amputation was suggested, but it was found from the X-ray process that the ball had taken an upward course instead of being located near the knee, as supposed, and this excluded all idea of amputation.

During intervals between acute attacks he has been entirely incapacitated for manual labor, and for a year has required the regular daily aid and attendance of another person; his life will undoubtedly be shortened, and the wound is likely to cause his death; as age advances his powers of resistance become weakened, and now he is a physical wreck, and his bills for medical attendance have far exceeded his pension allowance.

This soldier was severely and dangerously wounded and is now in a seriously disabled condition, so much so that he requires the aid and attendance of another person. His condition will not improve, but, on the contrary, as age advances the gravest results are to be apprehended.

In view of all the facts your committee are of the opinion that the increase asked for should be granted.

This bill is therefore reported back favorably with a recommendation that it pass.

Now, Mr. Chairman, I have stood here day after day entreating the House, instead of pressing these bills through like corn put

into a hopper, to have the reports read and explanations made, so that justice might be done and that no such bill as this to which I am now calling attention might pass this House. The circumstances of this case are a vindication of my course, for which I have been criticised from one end of the land to the other. I maintain that the reports all ought to be read before voting.

I have asked gentlemen of the Committee on Invalid Pensions whether they adopted the Senate reports without investigation, and they have said "No," but the circumstances prove that they have done so in this case; and if in this case, why, it has also happened in many others.

As I have already said, this man is entitled to his pension of \$24 a month, and I would vote to allow him to retain it; but it is an outrage upon justice and common sense and decency that his pension should be increased to \$72 a month when he is receiving, in one of the Departments, a salary of \$1,800 a year. I dare say that if investigation were gone into, we would find that this House has passed hundreds of such bills in the indecent haste of members to get the votes of the old soldiers at the next election. I only want justice done to the old soldier and at the same time to the taxpayers.

In regard to the circumstances of the present case, I repeat that I have been informed—I do not know whether correctly or not; if I have been informed incorrectly, I hope I may be set right—that this man, in addition to holding a position in the Department, and in addition to drawing a pension of \$24 a month, is the secretary of a member of the Republican side of this House and getting a salary of \$1,200 a year. I do not state this as a fact, but I have heard it; and if it is not true, I would be glad for some gentleman on the other side of the House to correct me.

Now, I submit, is it right, is it just, that we should sit here and allow such bills as that to pass? Why, sir, we have before us today numbers of cases in which our committee has adopted the Senate report. Yet we all know that at the other end of the Capitol it does not make any difference what may be proposed in the way of pensions; it always goes. It almost seems to me that if a pension were proposed at the rate of \$1,000 a month, it would be passed right straight through in that body without question. That is their rule. That is their custom. That is their habit. And this House has caught the fever; and I am afraid it is getting to be the custom upon this side of the House to pass anything marked "pension." I stand here to resist it and to request and beg and demand that we examine and scrutinize and investigate every bill that passes here, in order that justice may be done not only to the old soldier himself, but to the taxpayers of this great country of ours.

Now, Mr. Chairman, I hope that hereafter no member of this House will object to having the report read. I hope that the member who introduces a bill and who is advocating it will demand that the report be read, so that the House may know and the country may know why we do this, that, and the other.

Now, Mr. Chairman, I have no objection to the passage of the bill at present under consideration, although, as I say, it is to be done upon a report from that august body that refuses no amount in that direction.

Mr. SULLOWAY rose and was recognized.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, I have just come into the Hall—

The CHAIRMAN. Does the gentleman from New Hampshire yield to the gentleman from Massachusetts?

Mr. SULLOWAY. I do.

Mr. FITZGERALD of Massachusetts. Do I understand that this is a bill to pension a soldier at \$72 a month who is now receiving \$1,800 a year salary?

Mr. SULLOWAY. There is no such bill before the House. The gentleman from South Carolina has simply made a speech founded upon a newspaper statement.

Mr. FITZGERALD of Massachusetts. I wish to say that I called at the office of the Pension Commissioner the other day, and the first deputy of that office told me that a bill had passed this House giving a soldier \$72 a month who was receiving \$1,800 a year from the Government; and if that sort of legislation has passed this House, I think it is an injustice not only to the people of the country, but to the members of the House.

Mr. BARTLETT. I will state to the gentleman from Massachusetts that we have adopted a resolution, sent over here by the Senate, by which we have recalled that bill from the President and probably it will be returned.

Mr. HOPKINS. I trust my friend from Massachusetts [Mr. FITZGERALD] will follow the details of legislation hereafter.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, I said I had just come into the House. I think "the gentleman from Massachusetts" is not the only member who sometimes errs in the respect suggested by the gentleman from Illinois.

Mr. SULLOWAY. I believe I have the floor for a moment. I want to say, in answer to this newspaper article and in answer to

what has been said by the gentleman from South Carolina [Mr. TALBERT], that when the facts are known it will be found that this man who was pensioned at \$72 a month is, to all intents and purposes, a total wreck. One of his hips has been substantially removed, as I understand it, by reason of a gunshot wound, a wound discharging from that day until this, which has to be dressed by a surgeon or attendant once every day, and perhaps oftener than that. He has held a position in one of the Departments, as a matter, I suppose, of charity. Many old soldiers are employed in the Departments. He was receiving a pension of about \$24 a month. There are hundreds of men connected with the Departments for whom this Government furnishes positions to enable them to live, rather than to let them starve.

Now, this man gets to the Department a part of the time. He has to be supported in a certain way while he is there. He has drawn that salary; but while I do not know the purposes of the Senate, I understand that their object was to enable him to live, to give him a pension such as his condition warranted, to enable him to retire from that place. That is all the foundation there is for this newspaper howl which is made about it. I think, when the facts are brought before the country and before you gentlemen, it will be found that the pension voted to that soldier was warranted and deserved; and if he is the private secretary of somebody, whose business is it? I do not believe it is a fact. I do not believe a member of this House would have a private secretary who has to be carried about, practically unable to walk, as I understand it. It is not probable; but I am not here to deny or to affirm. I do not know but somebody may have desired to do him a kindness.

Mr. TALBERT. I have been informed that a member of the Invalid Pensions Committee has him as a private secretary, and I want to ask the gentleman why it is that he could not get this increase from the Pension Bureau if he deserves it?

Mr. SULLOWAY. That is one of the things God never intended I should know, why soldiers do not get what they deserve sometimes at the Pension Bureau.

Mr. TALBERT. I am afraid God has very little to do with the gentleman's knowledge. [Laughter.] But I want to say that the Pension Bureau has surgeons and boards for this specific purpose, and they positively refused to give him any more than \$24 a month. He undoubtedly deserves that and ought to have it, but why is it that he is said to deserve \$72 a month when he is able to earn \$1,800 a year in a Department position and \$1,200 additional as private secretary of a member of the Committee on Invalid Pensions?

Mr. SULLOWAY. That is mere assertion and newspaper talk. You have no foundation for the statement.

Mr. TALBERT. The newspapers did not say anything about his being private secretary to a member of this House.

Mr. SULLOWAY. You have no reason to state it.

Mr. TALBERT. I understand it is a fact. The Senate and House have both asked for the return of the bill, which was so outrageous that they were ashamed of it and did not want President McKinley to sign it. I wish to say that this newspaper to which the gentleman refers is supporting the Republican Administration, under which this legislation passed the Senate and House.

Mr. LOUD. I should like to ask a question or two regarding the bill before the committee. The other case is exploded powder. I should like to ask the gentleman when the act was passed denying pensions to the widows of soldiers who married since 1890?

Mr. SULLOWAY. You have reference to the act of June 27, 1890.

Mr. LOUD. Did that deny pensions to widows under those circumstances?

Mr. SULLOWAY. It provides that the wife shall have married prior to the passage of that act.

Mr. LOUD. The act of 1890 provides that?

Mr. SULLOWAY. Yes.

Mr. LOUD. I would ask then, Why does the gentleman seek to set aside that act? It is the first case of this kind that I have heard of.

Mr. SULLOWAY. Oh, no; cases of this kind are not infrequent at all. The probabilities are, as stated in this report, that this man's death was due to service origin. Now, if that is the fact, his widow is pensionable, but if she married him since the passage of the act of June 27, 1890, and his death was not traceable to service origin, or if the Department is not satisfied that it was of service origin, then they deny the pension. It is probable that this soldier's death was caused by disease contracted in the service, and we have put his widow on the list at \$8 a month.

Mr. LOUD. I suppose if I should die any time in the next twenty-five, thirty, or forty years, it might be stated that I died as a result of army service; but let me say to the gentleman that the report which was read here seems to deny any probability of that kind.

Mr. SULLOWAY. It states exactly the reverse.

Mr. LOUD. What does it state?

Mr. SULLOWAY. If the gentleman will read the report, he will see.

Mr. LOUD. I listened to it as carefully as I could.

Mr. SULLOWAY. Has not the gentleman the report before him?

Mr. LOUD. I have not the report here.

Mr. GIBSON. The report shows that this man before his death was pensioned at \$17 a month, and his health gradually gave way, doubtless due in part to his military service.

Mr. LOUD. But the Pension Department determined that he did not die as the result of his service.

Mr. SULLOWAY. That is true, and that is what we are here to correct.

Mr. LOUD. And the superior wisdom of the Committee on Invalid Pensions, which can report fifty or a hundred cases a day, is of course correct, and the determination of the Department is incorrect?

Mr. GIBSON. I will say that the Pension Bureau did not pass upon that question. She applied under the new law—the act of 1890—and did not claim that her husband died as a result of his army service.

Mr. LOUD. Does not the gentleman think that if she did that the better advice would have been to have gone back and applied under the old law and have gotten \$12 a month?

Mr. GIBSON. There is some force in that statement.

Mr. LOUD. Permit me to say that it is very easy to give an excuse in every case. I think there is no doubt in the world but what this man who died a year or two ago died a natural death, and that the Pensions Committee of the Senate and the committee of the House, acquiescing in their action, propose, in defiance of law, to give her a pension.

Mr. MILLER. She never claimed that her husband's death was due to service origin.

Mr. LOUD. And as the gentleman from Kansas suggests, the widow never even claimed that her husband's death was due to service origin.

Mr. GIBSON. This is a Senate bill, and when a bill comes from the Senate we do not scrutinize it quite as rigidly as we do original cases. We think that some courtesy is due to the Senate; and when the Senate reports a bill and the case is apparently a deserving one, we do not sit in judgment upon the action of the Senate committee.

Mr. LOUD. What can there be deserving in this case, if the law denies this woman a pension?

Mr. GIBSON. It did not deny her a pension.

Mr. LOUD. I say it does.

Mr. GIBSON. That is just where we differ.

Mr. LOUD. Otherwise she could go and get a pension.

Mr. SULLOWAY. Then we would not report any bills at all.

Mr. LOUD. I think the country would be much better off if you did not.

Mr. SULLOWAY. That is your view of it, and you are a very small minority.

Mr. LOUD. But there is no doubt, the gentleman will permit me to say in perfect candor, that here is a woman whom some member of Congress is acquainted with, or some of her friends; and through importunities, this woman being denied a pension under the existing statutes, they have here proposed to put her on the pension roll without any merit or claim whatever.

Mr. SULLOWAY. There is no reason in the world for that suggestion.

Mr. LOUD. I make the statement upon the statement of a gentleman here that this woman is not entitled to a pension under the law, and I make the statement that the widow never claimed that the death of her husband was the result of his service; and hence we are making a simple donation to a woman who happened to marry a man who had been in the service of the United States.

Mr. SULLOWAY. Question.

Mr. TALBERT. Mr. Chairman, I just want to say that the gentleman has denied the statement I made a while ago, that this gentleman was the private secretary of a member of the Invalid Pensions Committee. I say now, on authority, that he is the private secretary of one of the members of that committee.

Mr. SULLOWAY. I want to say that I did not deny it.

Mr. TALBERT. If the gentleman wants it, I will name him.

Mr. BAILEY of Texas. Name him.

Mr. SULLOWAY. I never made any such denial.

Mr. TALBERT. I thought the gentleman did deny it.

Mr. SULLOWAY. I said I did not know about that.

Mr. TALBERT. I said it was dangerous to get near the city walls, and the sons of Anak; but I have met and repelled them.

Mr. SULLOWAY. I never made any such statement.

Mr. BAILEY of Texas. Mr. Chairman—

Mr. TALBERT. I understood the gentleman to do so.

Mr. BAILEY of Texas. Mr. Chairman—

The CHAIRMAN. The committee will be in order.

Mr. TALBERT. The report of the stenographers will bear me out in it.

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Texas?

Mr. TALBERT. I do.

Mr. BAILEY of Texas. I think the gentleman owes it to the House, to himself, and to the country, to name the man.

Mr. TALBERT. Mr. S. W. SMITH. Now I have named him. If it is not true, let the gentleman rise and say so; and if not, forever hold his peace.

The CHAIRMAN. Without objection, the bill will be laid aside with a favorable recommendation.

There was no objection.

EMILY H. WOOD.

The next business on the Private Calendar was the bill (H. R. 9839) granting an increase of pension to Emily H. Wood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emily H. Wood, widow of Oliver Wood, late brigadier-general, United States Volunteers, and pay her a pension at the rate of \$35 per month, the same to be in lieu of the pension she now receives.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "brigadier," insert the word "brevet."

In line 8 strike out the words "the same to be."

In line 9 strike out the words "the pension" and insert in lieu thereof the word "that;" in the same line, before the word "now," insert the word "is;" in the same line strike out the word "receives" and insert in lieu thereof the word "receiving."

Mr. TALBERT. Mr. Chairman, I ask that the report be read; and I hope every report will be read. I hope that the House will demand that every report be read, so that we may vote intelligently, and know what we are doing. I think patriotism and justice both demand that we should not continue in this wholesale plundering business, but know what we are voting on.

The CHAIRMAN. The report will be read in the gentleman's time.

The report (by Mr. HEDGE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9839) granting an increase of pension to Emily H. Wood, submit the following report:

This bill proposes to increase the pension of Emily H. Wood from \$8 to \$35 per month.

Records of the War Department show that Oliver Wood, the officer named in the bill, served as first lieutenant Company D, twenty-second Ohio Infantry, from April 17 to August 19, 1861, and that he served as captain, major, and colonel of the Twenty-second Ohio Volunteers from September 2, 1861, to November 18, 1864, and as colonel of the Fourth Regiment, United States Veteran Volunteers (Hancock's First Army Corps), from December 29, 1864, to March 1, 1866, and was brevetted brigadier-general of volunteers March 13, 1865.

Medical records of the War Department do not show any treatment of the officer during his military service.

Emily H. Wood, now 70 years of age, is now a pensioner as the widow of this officer at the rate of \$8 per month under the act of June 27, 1890, upon proof that she was married to the officer June 26, 1855; that she was his legal widow at the time of his death, and is in destitute circumstances, having no income or property except a small dwelling house valued at \$300.

The beneficiary also filed a claim under the general law, alleging that her husband's death was due to disease contracted in the Army, but stated under oath that by reason of the lapse of time and absence of knowledge of names of officers who knew of her husband's disabilities in the service, she was unable to file proof of origin and continuance of such disabilities; but she did file medical testimony as to treatment of her husband for about five years before death for subacute bronchitis, and that his last and fatal illness began about one year previous to his death, and that death was due to a cancerous condition of the liver as shown by an autopsy.

The claim was rejected March 5, 1900, upon the ground of no record or evidence of medical treatment in service, at discharge, or afterwards, until about one year prior to death, for the fatal disease of the liver; and the claimant having declared her inability to furnish evidence to connect same with soldier's service.

There has been filed with your committee medical testimony showing treatment of the officer from 1882 to 1893 for a severe form of bronchitis, with paroxysms of coughing and a sense of fullness and pain over the region of the liver and stomach; that later on, upon a careful examination of the abdominal organs, enlargement of the liver and spleen was found to exist, and that death resulted from disease of the liver, due to malarial poisoning, which he contracted in the Army; also the testimony of a party who made her home with the officer's family for a period of forty years, showing that upon the officer's return home from Little Rock, Ark., at which place he had suffered a most severe attack of malarial fever, so that the surgeon of his regiment ordered him home to recuperate, he had lost all of his teeth from the excessive use of calomel and other drugs given him, and that his liver was also badly affected; and that almost every year from that time on to the date of his death he had one or more severe spells of sickness, attributable to his Army service; and that the officer was very much averse to asking for a pension, often having said in affiant's hearing that his service and life had been and would be always at the disposal of the United States, and no claim would ever be made by him for a pension.

Proof has also been filed showing that the beneficiary is totally without means of support, except the small pension of \$8 per month.

Your committee believes that the officer's fatal disease had its origin during the four years' service rendered by him, and that the relief sought for in the bill is fully warranted, and the bill is reported back with the recommendation that it pass after the same shall have been amended as follows:

In line 6, before the word "brigadier," insert the word "brevet."

In line 8 strike out the words "the same to be."

In line 9 strike out the words "the pension" and insert in lieu thereof the word "that;" in the same line, before the word "now," insert the word "is;" in the same line strike out the word "receives" and insert in lieu thereof the word "receiving."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELLEN M. MANSUR.

The next business on the Calendar was the bill (S. 4087) granting an increase of pension to Ellen M. Mansur.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen M. Mansur, widow of Nathan Mansur, late of Company A, Fifth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

Mr. TALBERT. Let the report be read.

The CHAIRMAN. The report will be read in the gentleman's time.

The report (by Mr. SULLOWAY) was read, as follows:

[To accompany S. 4087.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 4087) granting an increase of pension to Ellen M. Mansur, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 1027, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 4087) granting an increase of pension to Ellen M. Mansur, have examined the same and report:

This bill proposes to increase from \$8 to \$12 per month the pension of Ellen M. Mansur, of Concord, N. H., widow of Nathan Mansur, late of Company A, Fifth Regiment New Hampshire Volunteer Infantry.

Nathan Mansur served from August 11, 1862, to June 17, 1863. At the battle of Deep Bottom, Va., July 27, 1861, he received a severe gunshot wound of right ankle, necessitating amputation of his right leg below the knee. He was pensioned for loss of right leg, and at time of his death was receiving a pension of \$30 per month. He died of heart disease October 19, 1898.

Claimant is 72 years of age, and was married to the soldier in December, 1841. She has never made claim for pension under the general law. She is now receiving a pension under the act of June 27, 1890, at the rate of \$8 per month, granted her April 19, 1899. All that she has is a small piece of property which she lives on, worth about \$1,500, and encumbered with a \$400 mortgage. She has no income aside from her small pension, and has no one legally bound to support her.

The soldier served long and faithfully and his widow is now advanced in age, and in need. There is also a probability that the soldier's death was the result of his military service. In cases of amputation disease of heart, doubtless resulting therefrom, is of common occurrence. Your committee are of the opinion that the increase of pension to \$12 per month is proper.

The bill is therefore reported back favorably with a recommendation that it pass when amended as follows:

In line 6, after the surname "Mansur," insert the words "widow of Nathan Mansur."

Mr. TALBERT. Now, Mr. Chairman, here is another one of these Senate reports. I do not believe that the beneficiary of this bill is quite as enterprising as the beneficiary of the bill I have been talking about, Mr. Dinsmore, who is the most enterprising total wreck I have ever heard of. I would like to hear some gentleman make a statement whether he knows anything about this case, or whether any member of the Committee on Invalid Pensions knows anything about it, or whether they have just sat there, like mocking birds, and allowed the report of the Senate to be crammed down their throats. I would like to know whether they know this woman was really a widow of anybody or whether she has a hundred dollars, a thousand, five hundred dollars, or a million dollars' worth of property. I would like to know something about it.

The CHAIRMAN. Without objection, the bill will be laid aside with a favorable recommendation.

Mr. TALBERT. I object without some explanation.

The question was taken; and on a division (demanded by Mr. TALBERT) there were 57 ayes and no noes.

So the bill was laid aside to be reported to the House with a favorable recommendation.

JAMES H. EASTMAN.

The next business was the bill (H. R. 11010) granting an increase of pension to James H. Eastman.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Eastman, late of Company D, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

Mr. TALBERT. I ask for the reading of the report.

The CHAIRMAN. The report will be read in the gentleman's time.

The Clerk read the report (by Mr. SULLOWAY) as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11010) granting an increase of pension to James H. Eastman, submit the following report:

The records of the War Department show that this soldier, who is now 73

years of age, served as a private in Company D, First New Hampshire Cavalry, from April 30, 1864, to April 13, 1865, when he was discharged on surgeon's certificate of disability, "on account of chronic nephritis," etc. He applied for pension in April, 1890, on account of an injury to left hip and surrounding parts, alleged to have been received by him in August, 1864, by falling from the gang plank of a steamer at Boston, Mass., while detailed by the commanding officer to take charge of the horses and forward them to the front.

In support of said claim the soldier filed the testimony of a neighbor who testified that the soldier, while getting his horses aboard a steamboat, fell and injured his hip, and that the deponent saw him at the time; also, the testimony of several comrades that he was sent forward with the officers' horses two days previous to the leaving of the regiment; that when they embarked on the steamer *Constitution* he was found to be lame and disabled, the result, as he said, of having fallen between the steamer and the dock; also, testimony showing that thereafter while in the service he always complained of his hip, and several witnesses testified to the continuance of the lameness ever since discharge.

The claim was rejected February 11, 1883, upon the ground that there was no record in the War Department of the alleged injury, and claimant had been unable to file the necessary proof of origin of said injury in line of duty; and this action was affirmed by Assistant Secretary Hawkins under date of August 23, 1883.

The beneficiary is now and has been ever since July 17, 1890, in receipt of a pension of \$12 per month under the act of June 27, 1890, on account of total inability to earn a support by manual labor by reason of injuries to left hip and thigh and right elbow.

The last medical examination in the case, made February 4, 1891, found and rated him \$8 for rheumatism and resulting disease of heart, \$8 for malarial poisoning, \$16 for the injury to left hip, and \$2 for injury to right elbow.

There has been filed with your committee the affidavit of the beneficiary to the effect that he is wholly disqualified from labor; that the pension now received by him is insufficient to provide for himself, wife, and invalid son; that his wife is 79 years of age and unable to labor; and that he has been a county charge for ten years past; and these allegations of the beneficiary are fully borne out by competent testimony.

This soldier was detailed to take officers' horses to Boston prior to the departure of the regiment, and as none of his comrades were with him at the time it must of necessity follow that he can not prove origin of the injury by eyewitnesses; but, as stated above, he has by the testimony of a neighbor who was there with him at the time, and that he suffered from that injury when the regiment arrived at Boston to embark on the steamer, and such proof should be taken as sufficient to show line of duty; hence your committee report the bill back with the recommendation that it pass.

Mr. TALBERT. I see by the reading of the report that it says "there is filed with your committee the affidavit of the beneficiary to the effect that he is wholly disqualified for labor." It seems to me that is insufficient testimony upon which to act. I would like to ask the gentleman in charge of the bill, or the chairman of the committee, if there is any additional testimony?

Mr. SULLOWAY. There was no occasion for any testimony at all. The Bureau found that he was totally disqualified for labor and pensioned him under the act of 1890. The difference between the Bureau and the committee is that we find that his disabilities are of service origin. He is pensioned for the very disability that we recommend the increase of pension for, and it is admitted by the Bureau that he is disqualified for labor.

The bill was laid aside to be reported to the House with a favorable recommendation.

SARAH E. FORTIER.

The next business was the bill (S. 2020) granting a pension to Sarah E. Fortier.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah E. Fortier, widow of Joseph Fortier, late member of the Renville Rangers Minnesota Militia Volunteers, and pay her a pension at the rate of \$12 per month from and after the date of passage of this act.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY C. GAGE.

The next business was the bill (S. 4040) granting an increase of pension to Mary C. Gage.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary C. Gage, widow of Frederick W. Gage, late of Lieut. F. W. Cross's detachment, Signal Corps, United States Army, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

Mr. SAMUEL W. SMITH. Mr. Chairman, I desire for a moment to be heard on the case of Andrew F. Dinsmore, about which the gentleman from South Carolina [Mr. TALBERT] has just addressed the House. I should have spoken before, but it was the judgment of the chairman of the Committee on Invalid Pensions that as the case was likely to come before the House in a short time, it would be better to let the matter come up at that time. But I deem it due to the committee and to myself and the House to speak at this time.

I desire to say to the House and to the country that I feel deeply interested in the case of Andrew F. Dinsmore, but perhaps no more than in other cases of this nature, in which I have taken a deep interest. It has always been a pleasure for me to render every possible service that I could to every old soldier, and I have no apologies to make for the same. I was a member of the Fifty-

fifth Congress. When I came here my predecessor, Mr. Aitken, had employed Mr. Dinsmore as his private secretary. He found this old soldier who was wounded thirty-eight years ago, and who has been a sufferer all these years, in penury and want.

When Mr. Aitken's term of service expired I employed Mr. Dinsmore as my private secretary during the Fifty-fifth Congress; and from the salary of \$1,200 a year he paid for the services of a stenographer at \$50 per month or more, rented a typewriter at \$6 per month, and paid office rent and other expenses, and he has been my secretary so far during the Fifty-sixth Congress.

I desire the House to know that Andrew F. Dinsmore has not received the \$1,200, but pays it out for the services of a stenographer and other expenses, so that, in my judgment, at the close of this year he will have paid out between nine and ten hundred dollars. What does he do to earn the balance of the \$1,200?

I have about 2,000 pension cases which, together with the aid of his wife and son, he looks after in the evening, after his day's work is done; and it is only just and fair to say that, owing to his physical and worn-out condition, this labor and service is frequently performed, either alone or under his direction, by the wife and son.

Is there anyone that begrudges this old soldier the little that he and his family save from this salary of \$1,200? And I may add still further in this connection that whenever it is necessary for him to visit any of the Departments or perform any other service in connection with his duties as secretary during business hours the time which is used by him in performing this service is charged against him, as it properly should be, at the Interior Department, where he is engaged as a clerk.

Now, with reference to this man's physical condition. I asked Mr. Dinsmore to come before the Invalid Pensions Committee of the House this morning, that he might make a personal exhibit of himself and the wound that he is bearing and has for thirty-eight years. But that committee paid me the compliment by saying, "Mr. SMITH, your word is sufficient as to this man's condition."

Now, gentlemen, the facts are that he was so severely wounded thirty-eight years ago, and his case was so unusual and important, that he was photographed in various positions, prints of which photographs may be found in volume 3 of the Surgeon's History of the War. He has been an extreme sufferer during all these years. It has been the judgment of the best physicians he could employ that Andrew F. Dinsmore was liable to die of blood poisoning at any time.

I speak now with reference to the salary which this man is drawing as a clerk in the Interior Department. It is true that by reason of faithful and efficient service he is upon the roll at \$1,800 per year. But what are the facts in connection with that? From three to five months in the year, and for many years, with now and then an exception, he is sick in bed, unable to earn a dollar, and during such times does not draw his salary.

Last year, beginning with the 1st day of August, he was confined to his bed for three months, and had the services of four physicians either in attendance upon him or in consultation with the others. His faithful and loving wife was his nurse, being with him day and night, and by reason of this service was obliged to employ additional help in the house. When you consider the loss of time, the loss of salary, and the expense to which he was subjected for physicians, medicines, and other necessary expenses, it will be apparent to every member of the House that he could save but half or a little more of his salary at the Interior Department.

Owing to his physical condition he is unable to earn a living by manual labor. During the last eight years he has been without employment for almost five years of that time. He has no property save the furniture which is in a rented house, and he is in debt for a portion of that. But, happily, he is known in this community, where he has lived for about thirty years, as an honest man, and is not without credit and friends.

While I have not known Mr. Dinsmore more than two or three years, I understand that this has been his condition for many years, and I might refer to one or more of the trusted and respected employees of this House who have known him and of his condition for a great while. I respectfully refer each of you to Major Newcomb, who has known this man for twenty-four years.

Mr. Dinsmore lived with the Major twenty-odd years ago. He could tell you of the sufferings this man has passed through during these years, of the loss of time to which he has been subjected when he was employed, and to some extent what it has cost him for physicians and other expenses. In connection with his many illnesses, I would like to read a brief statement prepared by Mr. Dinsmore only yesterday, with reference to his case. He says:

I was wounded in the left hip, the ball shattering the bone and lodging against the pelvis bone, where it now is.

Let me say that owing to the long period of time since this man was wounded the bone has practically wasted away, and last

year, when he was taken sick, his condition was such that, upon examination by means of the X-ray, it was found that the bone from the hip down to the knee was practically like a sponge; that pus percolates from the hip to the knee, which was the cause of his trouble last year, and for two months or more his limb was in a plaster cast.

Nearly all the hip bone was removed, and what remains is diseased; a constant source of pain and danger to my life, as it has always been to my health. The wound has never healed, and requires dressing every day.

And I want to say that he requires the attention of his wife or some other person every day of his life in having that wound dressed at least once, and quite often twice; not only that, he is unable to dress and undress himself, owing to the condition of the wounded limb, it being practically stiff at the knee joint.

The injured limb is nearly one-third smaller than its mate, distorted, slightly shortened, and the knee joint so stiff that the assistance of another person is required to dress and undress. The limb is too weak to bear my weight in walking with safety.

Yet let me say that if you saw that man, ambitious as he is to-day, walking with a crutch most of the time, you would find him occasionally bearing his weight upon that limb, notwithstanding he is being constantly advised by physicians that he is doing himself an injury to even allow his weight to rest upon that limb.

At intervals ever since the war, more frequently in the past than of late years, I have been confined to my bed for months at a time with abscesses and other disturbances caused by this injury, and everybody knows what pain and suffering such a condition produces. A month or two each year, on the average, this condition has existed. I am assured by physicians that this injury will result in my death in the near future from blood poisoning, and is a constant menace to my existence.

The X-ray photograph filed with the Senate committee gives a good exposition of the present condition of the limb. Practically a useless limb, endangering my life, causing constant pain and care, the assistance of another in dressing and undressing, props at night to enable sleep, constant discharge of pus, which reduces flesh and weakens vitality.

And here let me add that at the Department where he works he has been obliged to fix up some contrivance upon which his limb rests while he performs his labor there.

In other words, it makes life a misery in a large degree. If it could be amputated without the loss of my life, I would return the little pension I now receive and feel very glad that I could live a while without pain and suffering. Last summer the pus percolated through the bone to the knee joint, causing inflammation of it. The attendance of two and sometimes three surgeons was had from August 1.

I was confined to my bed because of this for three months, during which time amputation was seriously contemplated, and the limb was kept in a plaster cast for two months to prevent contraction of the muscles. This was only one of the many similar experiences since the war, and no money can repay me for the loss of time and suffering it has entailed.

In brief, gentlemen, this is the statement of the Dinsmore case. There are times when, according to the strict construction of the law, possibly he is not entitled to more than \$50 a month; but I did not believe, nor do I believe now, that owing to his condition and the frequency with which he is confined to his house and his bed, requiring the constant aid and attention of another person or persons, that \$72 a month is any more than he is justly entitled to.

I find no fault; but I beg you to remember that there are many similar cases where parties are drawing \$72 a month by special act whose cases do not possess the merit which this one does. I will not stop to specify; many of them are well known to all of you. I only ask that justice may be done this man.

I owe the suggestion to the gentleman to whom I referred a moment ago, Major Newcomb, that if permission could be obtained for this man to come into the lobby of the House, where every member could witness with his own eyes, if he chose to do so, the condition of this man, they would better appreciate what I say. And while he is not desirous of placing himself on exhibition, I believe that every member of this body, without regard to politics, desires to do this man justice; and when the time comes, if it does, to reconsider this matter, and you with your own eyes desire to see this man's physical condition and judge for yourselves whether or not he is entitled to \$72 a month, we shall be pleased to present him here.

Gentlemen, I thank you for the attention which you have given to me. [Applause.]

Mr. GARDNER of Michigan. Mr. Chairman, I would like the indulgence of the House just for a few moments on this case. I would have spoken earlier, but the chairman of the Committee on Pensions desired that the time should be used in the consideration of bills on the Calendar, and I deferred to his wishes. So much has been said on this question that I feel it due to myself at this time, as well as to Andrew F. Dinsmore, to speak. I could not excuse myself if I longer sat here withholding from the members of this House what I know from personal knowledge of this badly wounded and suffering soldier.

I came to this city having no acquaintance whatever with Mr. Dinsmore. I was advised by a mutual friend to see if I could ob-

tain board with his family. I did so; and since I have been a member of this House my home has been beneath his roof, and twice a day at meals I have sat next to him. I cheerfully bear witness to the truthfulness of every assertion that my colleague [Mr. SAMUEL W. SMITH] has made this morning in regard to Mr. Dinsmore's physical condition since I have known him.

Furthermore, I have it on the authority of Mr. Dinsmore and also of his excellent wife that all of the \$24 per month that the Government has paid him as a pension for the last twelve months has gone to physicians and nurses and has not been sufficient to meet the extra bills from this source alone. Not one dollar has that man to show for the days and nights, the weeks and months, of suffering during the past year. Not one dollar has this Government paid him that he has not paid out in the attempt to get relief from the torturing pain of a wound received in battle in defense of his country.

More than that. After the time allowed clerks in Government service as a vacation had expired, his pay was stopped, but the current expenses continued and the unpaid bills accumulated. His regular physician visited him as often as three times a day. A consultation of physicians decided that to unjoint the leg at the hip, as would have to be done, was almost certain death, and not to do it left the chances of life but little better. For two months of the heated term last year he lay with the wounded leg in a plaster cast, and all of that time, as well as before and after, suffered intensely.

I have it on the authority of his wife, a noble woman, and on the authority of himself—and if any doubt, bring him here and let such examine for themselves the suppurative wound—that every single day of his life a large piece of cotton batting is saturated with pus that comes from the diseased bone shattered by the leaden bullet. To illustrate his physical condition: Last Sunday I had a friend here from Michigan who had never seen this building and the grounds about it.

After dinner I said to Mr. Dinsmore and his wife, "I wish you would go down to the Capitol with me and my friend." With the aid of his crutch he walked three-fourths of a block to the street-car line. From the Fourteenth street line we walked up to and around this building to the Pennsylvania avenue line, where we took the car for home. We were not gone from the house to exceed two hours. That night he had the rigors, as his wife tells me he always does when he overexerts himself.

The next morning as he sat at the table I was next to him. I noticed that his eyes were deep set and that there were dark circles about them. Sleep went from him, pain seized upon him, and the icy chill, like that of a wintry night, held him in its grip; and yet this man, receiving eighteen hundred dollars a year, when in such pain that he could eat no breakfast, when he ought to have been in bed, got up and by the aid of his crutch hobbled to the cars and went to the office and served this Government as chief of a division, putting that wounded, diseased, painful leg in a contrivance made to hold it while he sits there, earning that which will pay for the daily sustenance of his wife, his minor child, and himself.

The Government does not pay him anything if you take out the doctor bills and nurse hire; nothing for suffering, nothing for care, nothing for the ceaseless anxiety that hangs over that household. The shadow of death hangs over him; for his physician says that blood poison is liable to set in at any time and suddenly terminate his life. I know what I am talking about, and I challenge gentlemen to prove the contrary. There is not a man on the floor of this House who would take this man's wounds and bear them and his pain and suffering, with constantly threatening death, for \$200—aye, not for \$500—a month.

There are some things that you can not pay in dollars and cents, and that is one of them. No, I speak not to advocate large pensions. I wish to say to my friend from South Carolina [Mr. TALBERT] that if you knew that man as I know him, ex-Confederate soldier as you are, you would not utter one syllable in condemnation. You would say this Government never, never can pay that man for what he did for it. [Applause.]

Mr. TALBERT. Mr. Chairman, I have no desire to enter into any controversy with the two gentlemen from Michigan [Mr. SAMUEL W. SMITH and Mr. GARDNER]. I am willing to admit what they have asserted in regard to the condition of Mr. Dinsmore. Let them take either horn of the dilemma. That being true, I can not understand how it is that he has not been given that pension at the Pension Bureau, presided over by a Commissioner of your own Administration's choice, under a Republican Administration. The report says that he has proven this fact to that Bureau. This being the case, the Bureau should have given him the limit; should have given him \$72 a month. I would have voted for it after learning his condition. That is my position in regard to this man. But, Mr. Chairman, I can not understand, and you can not make the intelligent men of this House understand, how it is that a man who is such a physical wreck can earn

\$3,000 by his daily labor. That is the question to which I have addressed myself. If he is a physical wreck, he ought to have been given the \$72 a month. In this case he would be unable to earn \$3,000 a year.

Mr. SAMUEL W. SMITH rose.

Mr. TALBERT. In addition to his \$1,800 a year, the gentleman has employed him as his private secretary, with all his aches and wounds—

Mr. HENRY C. SMITH rose.

Mr. TALBERT. You give your case away when you come here and state all of these things. The true policy would have been for your Administration and your Commissioner of Pensions to have given him \$72 a month, to have prevented him from having to go upon his crutches in excruciating pain to make a living for himself and his family, as you have stated. The facts you have stated ought to condemn your Administration forever for injustice to this old soldier, with all your hypocrisy and pharisaism about love for the old soldier.

Mr. HENRY C. SMITH. May I ask the gentleman a question?

Mr. TALBERT. Certainly.

Mr. HENRY C. SMITH. Is it not true that Justice Long, of the supreme court of the State of Michigan, while receiving a salary of \$7,000 a year, draws a pension of \$140 a month, and did he not have a mandamus proceeding against Commissioner Lochren to be reinstated on the rolls after he had been suspended.

Mr. TALBERT. Two wrongs do not make one right. The gentleman asks now because one man is robbing and plundering the Government, unjustly and unmercifully, that another man be placed on the pension roll and receive a pension. That is the trouble about this indiscriminate granting of pensions. One man gets in and another man wants to get in. Members have their friends, and they will not vote against each other. They will not have the reports read, because they sit here like dummies, saying "Oh, they will reach my case next." That is what is the matter. You want to do a dozen wrongs to make one right, and you want to continue to do wrong in order that your own cases may be favorably acted upon.

I want to see justice done by the old soldier, and I will help do it every time, if I can, but I do not want to give any soldier what he does not deserve. If this man is so unmercifully wrecked, your Administration ought to be damned and turned out by the old soldiers, because you compel this man with all these pains and wounds to earn his own living. You ought to be ashamed of yourselves—and it proves that you are hypocritical and pharisaical when you talk about your love for the old soldier.

I am glad that both the gentlemen from Michigan have said what they have said. You have done this old soldier a wrong. Bring him here, prove these things, and I for one will vote to give him a pension of \$72 a month, and take him out of the Interior Department, and to give the gentleman another secretary. I would be willing to give him a little more, so he need not be going about in all this pain, hobbling around on his crutch, as these gentlemen have said, to earn a living.

Mr. SAMUEL W. SMITH. Did the gentleman understand the explanation that was made with reference to the \$1,200 a year?

Mr. TALBERT. I know that is what a private secretary gets.

Mr. SAMUEL W. SMITH. Yes; but do you know how much of that he pays out for assistance?

Mr. TALBERT. Why not hire a stenographer at once and let the old fellow rest? Let us give him \$72 per month and take him out of the Interior Department and out of his suffering; and if that is not enough, let us give him a little more. He is a grand man, as I understand. I never heard of him until two or three days ago, except on the day he was pensioned, but now I am his friend. I do not want him to go lame and limping around here in excruciating pain. I want him pensioned.

Mr. SAMUEL W. SMITH. Does the gentleman—

Mr. SIMS. I want to ask a question and to make a few remarks on this matter. What was the pension that this man was getting at the Bureau?

Mr. SAMUEL W. SMITH. Twenty-four dollars a month.

Mr. SIMS. Was he not getting the highest pension that the evidence before the Bureau would warrant?

Mr. SAMUEL W. SMITH. I do not know about that.

Mr. SIMS. Well, it is a fact that the Bureau did not give him any more.

Mr. SAMUEL W. SMITH. I have no criticism to make of the Pension Bureau; but I know that it is not the only case where this House and other Houses, of different political complexions, have awarded to men that which they could not get at the Pension Office.

Mr. SIMS. Mr. Chairman, I want to call the attention of the House to the abuse, as I consider it—and I do not use the term offensively—that has grown up here in this House. Whenever a man's title at the Pension Bureau is doubtful—no, not when it is doubtful; but when he has absolutely no title upon an equitable

showing made before the Invalid Pensions Committee of this House, you even go to the extent of making a doubtful title a matter of merit, and increase his pension, sometimes three and sometimes four hundred per cent.

Mr. CORLISS. Mr. Chairman, I ask if there is anything pending before the House—

Mr. SIMS. Let me get through.

Mr. CORLISS. If not, I demand the regular order.

The CHAIRMAN. The regular order is demanded, and the Clerk will read.

Mr. SIMS. What is the regular order, I will ask, Mr. Chairman.

The CHAIRMAN. There is no question pending before the House; but by unanimous consent the gentleman from Michigan [Mr. SAMUEL W. SMITH] was permitted to address the House in regard to a case.

Mr. SIMS. Mr. Chairman, I ask unanimous consent that I may speak for ten minutes on the matter now before the House, and I hope that the gentleman from Michigan will not deny me the privilege of doing so.

Mr. CORLISS. I insist, Mr. Chairman, that there is nothing before the House.

Mr. SIMS. I ask unanimous consent to address the committee.

The CHAIRMAN. The Chair will state to the gentleman from Tennessee that there is no question before the committee.

Mr. SIMS. I ask unanimous consent to address the House for ten minutes on the subject-matter under discussion.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to address the House for ten minutes. Is there objection?

Mr. MINOR. I object, Mr. Chairman.

Mr. SIMS. Did the gentleman from Michigan object?

Several MEMBERS. No.

BETHUEL H. BRASTED.

The next business on the Private Calendar was the bill (H. R. 2362) granting a pension to B. H. Brasted.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of B. H. Brasted, late chaplain of the Eighth New York Cavalry, and to pay him a pension at the rate of \$50 per month on and after the passage of this act.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bethuel H. Brasted, late chaplain Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$12 per month."

Mr. SIMS. Mr. Chairman, I ask for the reading of the report.

The CHAIRMAN. The report will be read in the time of the gentleman.

The report (by Mr. GRAFF) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2362) granting a pension to B. H. Brasted, submit the following report:

The records of the War Department show that B. H. Brasted was mustered into the service to take effect April 18, 1865, as chaplain of the Eighth New York Cavalry; that he served with that organization until June 27, 1865, on which date he was mustered out and honorably discharged the service with the regiment at Alexandria, Va.; and these records afford no information as to any medical treatment of said officer.

He never applied for pension under the general pension laws, and would have no title under the act of June 27, 1890, he lacking the requisite period of service of ninety days.

There has been filed with your committee the affidavit of the beneficiary setting forth that he is over 67 years of age, feeble, and suffering from a bad rupture, caused in part, at least, by rough riding in the service, and from rheumatism and other infirmities, by reason of which he has been compelled to surrender his homestead claim; that he lost fully two weeks' time in waiting for his commission and in going to his regiment, and lost over two weeks after date of discharge in getting to Rochester and waiting there for the paymaster to settle for services; so that he actually spent in meeting the requirements of the service over one hundred days.

There has also been filed medical testimony showing that the beneficiary, who resides at Fargo, N. Dak., is incapacitated from doing manual labor of any kind by reason of lumbago and articular rheumatism, rupture of left side, prolapsus of rectal walls, defective hearing, and chronic catarrh.

In view of the above, your committee believe that Congressional relief is warranted to the extent of granting him the maximum rating under the act of June 27, 1890, and report the bill back with the recommendation that it pass after the same shall have been amended as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bethuel H. Brasted, late chaplain Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$12 per month."

Amend title so as to read: "A bill granting a pension to Bethuel H. Brasted."

Mr. SIMS. Mr. Chairman, I will admit frankly that I do not propose to speak to this bill. I want to refer to the same matter that has been referred to in the House a few moments ago. As I

was saying before, this House seemed to consider a doubtful title at the Pension Office as a reason and a ground not only for allowing a pension here by private bill, but for doubling up and increasing it. It has the effect, Mr. Chairman, of dissatisfying those soldiers who have applied to the Bureau and had a good title and got a pension under the general law, because they can see at once a comrade who has no title, as proven at the Pension Office, or a doubtful title, comes to Congress and by private act gets not only what they upon a perfect title get, but on a bad title get by private act a much larger pension than they could have obtained under the general law upon a good title.

Now, I criticize and condemn any such practice, and it ought to be condemned in this House. This gentleman, Mr. Dinsmore, was entitled to \$24 at the Bureau. He got it. Why should we impugn the honor, the honesty, and efficiency of every official and the examining surgeons at the Bureau? If so, they ought to be removed and put good men in their places and have a good, clean, and just administration of the Pension Office. But, Mr. Chairman, I do not believe that there is any ground for a wholesale doubt of the honesty and efficiency of the service of the Pension Bureau. What is the cause, then, of these pensions being increased? Now, if the general law is unjust, amend the general law, and stop this way of granting wholesale private pension bills, simply because a popular man or an influential member of this House, or at the other end of the Capitol, may be behind a bill.

I tell you, gentlemen, you are not satisfying the soldier element in general; you are dissatisfying it. Here is a case in which the committee has given this gentleman, shown by the law and evidence before the Bureau to be entitled to but \$24 a month, \$72, the highest pension known to the law, if given under the general law. It has developed in this case that the gentleman who receives it was getting \$1,800 as a Government employee, and it seems from the statement of the gentleman from Michigan that he performs the duty of his private secretary besides. The gentleman from Michigan [Mr. SAMUEL W. SMITH] in the kindness of his heart turned over his secretary's salary to the wounded soldier.

But was the fact of the man's Government employment at \$1,800, and the fact that he was a private secretary, brought before the Invalid Pensions Committee of the House in the passage of the bill? Did the House have an opportunity to consider it? Whether it was intended or not, this case falls little short of a scandal. The highest pensionable status claimed to be established, and then employed in one of the most remunerative positions in the Interior Department, and in addition drawing \$1,200 as secretary to a member of this House. It is all in line of running wild on these matters.

I have often felt a delicacy in saying anything about these matters because I come from the South. But this is without sectional feeling. As far as the Spanish war is concerned, we shall probably have as many just applications for pensions as you; but it is time to call the attention of the country and to emphasize it, and I beg the Committee on Invalid Pensions to stop this wholesale way of reporting bills at enormous amounts, almost if not wholly regardless of merit.

Of course sympathy is considered, but the respective States in the nation ought to do something for their indigent poor who are unable to earn a living. The fact that a man went into the war and was severely wounded should be looked to by the General Government; but I know of no precedent that calls for Congress to absolutely take care of every soldier and his family regardless of whether his injuries were of service origin or not. I have the kindest feeling for both gentlemen from Michigan. I served on the committee with one, and I extol his pity and his charitableness in putting up with a clerk whose services are not what they might be in order to give Mr. Dinsmore the salary; but, being a member of the Pension Committee, he ought to have let the House know, when they were giving the highest pension known to the law to this man, all the facts.

If Mr. Dinsmore is in as bad and helpless a condition as represented, he is certainly unable to do the work in the Interior Department that an \$1,800 clerk ought to do. He is certainly unable to do the work of an \$1,800 clerk in the Interior Department and in addition thereto perform the duties of a clerk to a member of Congress. All these amounts, including pension at \$72 per month, amount to \$3,864 per annum. This Mr. Dinsmore is getting or will get, to be paid out of the Treasury.

If this man was totally blind, or had both hands off, he could, under the general law, get only \$72 per month, but being able to do the work of an \$1,800 and a \$1,200 clerkship combined, he is given the highest pension known to the law by this private act. How unjust is it to the poor old blind soldier, who can not do any kind of work and who requires the constant attendance of another person, to give him by general law \$72 per month and this gentleman, who is able to do the work of two

clerks at the same time, \$72 per month! How will the old soldiers of the country look upon such legislation as this?

Mr. Chairman, this pension to Mr. Dinsmore was one of the 180 private bills that passed this House on the last pension day. It proves beyond doubt that those bills were not, indeed could not be, considered by the House. Just think of 180 bills being read, considered in Committee of the Whole, and then passed in the House in a session of five hours. If the House was in session five hours on that Friday and the whole time given to the 180 bills, it would be one and two-thirds minutes to the bill, including action in Committee of the Whole and in the House.

I do hope that this hasty, ill-considered, and extravagant granting and increasing of pensions by private acts of Congress will cease, and the case we are now discussing should prove an object lesson.

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

BUREN R. SHERMAN.

The next business on the Private Calendar was the bill (S. 3337) granting an increase of pension to Buren R. Sherman.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Buren R. Sherman, late of Company E, Thirteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

Mr. STEELE. Let us have the report read.

The CHAIRMAN. The Clerk will read the report in the gentleman's time.

The Clerk read the report (by Mr. HEDGE), as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3337) granting an increase of pension to Buren R. Sherman, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 845, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 3337) granting a pension to Buren R. Sherman, have examined the same and report:

This bill proposes to increase from \$15 to \$50 per month the pension of Buren R. Sherman, late second lieutenant of Company E, Thirteenth Regiment Iowa Volunteer Infantry.

The military records show that Buren R. Sherman was mustered in as second lieutenant February 9, 1862; wounded in action at Shiloh April 6, 1862; promoted captain December 1, 1862, and resigned April 7, 1863.

The hospital records show him treated April 11, 1862, for gunshot wound, and granted a leave of absence April 23, 1862.

He was pensioned in November, 1873, for gunshot wound in left groin, at the rate of \$7.50 per month (one-half total of rank). On August 3, 1898, this pension was increased to \$15 per month (total of rank) for gunshot wound in left groin and resulting rheumatism (sciatica). Since this allowance of increase claimant has made no further claim.

In his last claim for increase, which was filed May 2, 1898, claimant alleged that the debility from his wound has caused attacks of epilepsy to appear frequently, so that he is unfit for either mental or manual labor. The debility and epilepsy were rejected as results by the Pension Bureau.

Claimant was last examined at Vinton, Iowa, August 3, 1898, and rated at eight-eighths for gunshot wound of left groin, eight-eighths for sciatic rheumatism, and twenty-four thirtieths for epilepsy. The examining surgeons reported that claimant was 62 years of age, 5 feet 7 inches high, and weighed 136 pounds; that he was emaciated, weak, and nervous, his eyes dull and expressionless, and that he was wholly incapacitated, both physically and mentally, for any kind of work.

The evidence in this case shows that the applicant was a meritorious soldier and was severely wounded; and, in the course of time, epilepsy ensued as a result. Total disability to earn a livelihood is shown in this case, and the applicant has no means by which to support himself and his family save the small pension now allowed him. He was at one time governor of the State of Iowa and occupied many important official positions.

The case is highly meritorious, and it is recommended that the bill pass.

The bill was laid aside to be reported to the House with a favorable recommendation.

BENJAMIN F. DENNIS.

The next business was the bill (H. R. 9783) granting an increase of pension to Benjamin F. Dennis.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Dennis, late of Company G, Thirty-second Regiment Iowa Volunteers, and pay him a pension at the rate of \$60 per month.

With the following committee amendments:

In line 6 strike out the words "Thirty-second" and insert in lieu thereof the words "Twenty-second."

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 8 strike out the word "sixty" and insert in lieu thereof the word "fifty."

In the same line, after the word "month," insert the words "in lieu of that he is now receiving."

Mr. STEELE. I think we ought to have an explanation where a man is getting more than the usual pension.

Mr. CALDERHEAD. Mr. Chairman, I thought the gentleman

from Indiana wanted an explanation, but I see that he is paying no attention.

Mr. STEELE. I do not think I am responsible because a gentleman comes along and speaks to me. If the gentleman from Kansas does not care to give an explanation, we can have the report read.

Mr. CALDERHEAD. I do not care to occupy the time of the House in making an explanation to those who do not care to hear.

Mr. STEELE. I expressed a desire to hear an explanation.

Mr. CALDERHEAD. I am ready to give it.

Mr. STEELE. The gentleman seems to be a good while in getting it started. [Laughter.]

Mr. CALDERHEAD. And the gentleman from Indiana seems to be a good while in getting ready to listen. [Laughter.]

Mr. STEELE. I ask for the report to be read.

Mr. CALDERHEAD. Do I understand the gentleman does not care to hear an explanation?

The CHAIRMAN. The Chair understands the gentleman from Indiana to ask for the reading of the report, instead of the explanation. The Clerk will read.

The Clerk read as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9783) granting an increase of pension to Benjamin F. Dennis, submit the following report:

This bill proposes to increase the pension of Benjamin F. Dennis from \$30 to \$60 per month.

This soldier, now 72 years of age, served as a private in Company G, Twenty-second Iowa Volunteers, from August 17, 1862, to July 23, 1865, and medical records of the War Department show him under treatment in January, 1864, for gunshot wound of elbow, and October and November, 1864, for general debility. He applied for pension in July, 1876, on account of impaired hearing, and upon due proof of having had his hearing injured in the service and line of duty he was pensioned in 1881 at \$4 per month from discharge, and this rating was increased from time to time until September, 28, 1892, when his pension was increased to \$30 per month on account of total deafness.

In 1889 and 1892 he filed claims on account of additional disabilities, namely, gunshot wound of right arm and loss of sight of right eye and partial dementia, the last named disabilities being results of the deafness, and these claims were rejected October 7, 1893, upon the ground that line of duty was not shown so far as the wound of arm was concerned, and, even if shown, the allowance of pension for the same would not increase the rate of \$30 per month, and the alleged resulting loss of sight of right eye and dementia were rejected upon the ground that they could not be accepted as results of the pensioned cause.

A claim for increase filed April 15, 1897, in which the pensioner alleged total and permanent helplessness as a result of his Army service was rejected September 1, 1898, upon the ground that the disability of accepted service origin (total deafness) did not entitle him to a higher rating, the law specifically prescribing the rating for the same.

The soldier alleged that he received the wound of arm at Matagorda Bay, Texas, in December, 1863, or January, 1864, while on duty in front of the regiment; also, that he lost the use of his right eye in 1887.

A medical examination of May 2, 1888, rated the soldier \$6 for the wound of arm and \$12 for disease of eyes; the next examination, made September 28, 1892, rated him \$12 for loss of sight of one eye and \$8 for the gunshot wound.

The last medical examination in the case, made March 2, 1898, states that the soldier "is so disabled from the effects of deafness, hemiplegia, and effects of age as to require the frequent and periodical aid and attendance of another person. He can not dress or undress or get out of bed unless assisted, etc."

There has been filed with your committee sworn testimony to the effect that the beneficiary owns no property except his household goods; that he is entirely helpless and unable to work or to earn a livelihood; and the Hon. F. W. CUSHMAN has filed a statement with your committee showing that the beneficiary lives in the same city with him, and that he is not only almost completely paralyzed, but is also entirely without any property or financial means for his support.

In view of this soldier's service of three years, his total helplessness, he requiring the aid and attendance of another person, and the fact that he is 72 years of age and can enjoy the bounty which the Government may bestow upon him for but a short period, your committee believe that an increase of his pension to \$50 per month is warranted under the circumstances, and report the bill back with the recommendation that it pass after the same shall have been amended as follows:

In line 6 strike out the words "Thirty-second" and insert in lieu thereof the words "Twenty-second."

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 8 strike out the word "sixty" and insert in lieu thereof the word "fifty."

In the same line, after the word "month," insert the words "in lieu of that he is now receiving."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

SALLIE B. WILSON.

The next business was the bill (H. R. 10758) granting a pension to Sallie B. Wilson, of Macon, Ga.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sallie B. Wilson, widow of Samuel B. Wilson, late of Company C, Eighth Regiment United States Infantry, and pay her a pension at the rate of \$20 per month.

The committee amendments were read, and agreed to, as follows:

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve;" in the same line, after the word "month," insert the following: "and \$2 per month additional for each of the two minor children of said soldier until such children shall have arrived at the age of 16 years."

Amend the title so as to read: "A bill granting a pension to Sallie B. Wilson."

The bill as amended was laid aside to be favorably reported to the House.

ISAAC B. HOYT.

The next business was the bill (H. R. 8689) granting an increase of pension to Isaac B. Hoyt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac B. Hoyt, late of Company F, Fifteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

Mr. SULLOWAY. I move to amend the bill by striking out in line 8 the word "four," so as to read "\$20 per month." I will state the reason for offering this amendment. This soldier is a considerable portion of the time incapacitated for labor, though he does some little labor. At the last examination he was rated at \$22.

The amendment was agreed to.

The bill as amended was laid aside to be favorably reported to the House.

WILLIAM MULLEVY.

The next business was the bill (S. 3047) granting an increase of pension to William Mullevy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Mullevy, late of Company F, Second Regiment United States Infantry, and second lieutenant Company A, One hundred and second Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$15 per month in lieu of that he is now receiving.

The bill was laid aside to be favorably reported to the House.

LYDIA J. DE SILVA.

The next business was the bill (H. R. 8540) granting a pension to Lydia J. De Silva.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lydia J. De Silva, widow of Josiah W. De Silva, late of Company F, One hundred and second New York Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The committee amendment was read and agreed to, as follows:

In line 7, before the words "New York," insert the word "Regiment."

The bill as amended was laid aside to be favorably reported to the House.

IRVING JOHNSON.

The next business was the bill (H. R. 9378) granting a pension to Irving Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Irving Johnson, alias John Morgan, late of Company E, Fifty-second Regiment of Pennsylvania Infantry, and pay him a pension at the rate of \$12 per month.

The committee amendment was read and agreed to, as follows:

In line 7 strike out the word "of;" in the same line, before the word "Infantry," insert the word "Volunteer."

The bill as amended was laid aside to be favorably reported to the House.

JOHN CARR.

The next business was the bill (S. 1776) granting a pension to John Carr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Carr, late of Company D, One hundred and sixteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The bill was laid aside to be favorably reported to the House.

MARY I. BRADBURY.

The next business was the bill (S. 3314) granting a pension to Mary I. Bradbury.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary I. Bradbury, widow of Eben H. C. Bradbury, late of Company K, Ninth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The bill was laid aside to be favorably reported to the House.

DAVID S. SNYDER.

The next business was the bill (H. R. 9043) to increase the pension of David S. Snyder.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David S. Snyder, late a captain in Company K, Forty-eighth Regiment Indiana Infantry Volunteers, and pay to him the sum of \$25 per month in lieu of any pension that he may now be receiving.

The committee amendments were read, and agreed to, as follows:

In line 6 strike out the word "a:" in the same line strike out the word "in" and insert in lieu thereof the word "of."

In line 7, before the word "Infantry," insert the word "Volunteer;" in the same line strike out the word "Volunteers;" in the same line strike out all after the word "pay" and all in lines 8 and 9, and insert in lieu thereof the following: "him a pension at the rate of \$24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to David S. Snyder."

The bill as amended was laid aside to be favorably reported to the House.

ANNIE CHAMBERLAIN.

The next business was the bill (H. R. 6776) granting a pension to Annie Chamberlain.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie Chamberlain, widow of James A. Chamberlain, late sergeant of Company D, Sixth Maine Regiment, and pay her a pension at the rate of \$12 per month.

The committee amendments were read, and agreed to, as follows:

In line 7 strike out the word "sergeant;" in the same line strike out the word "Regiment;" in the same line, after the word "Sixth," insert the word "Regiment;" in the same line, after the word "Maine," insert the words "Volunteer Infantry."

In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The bill as amended was laid aside to be favorably reported to the House.

HELEN L. DENT.

The next business was the bill (S. 1552) granting an increase of pension to Helen L. Dent.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen L. Dent, widow of Frederick T. Dent, late colonel, United States Army, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The bill was laid aside to be favorably reported to the House.

JOHN J. SEARS.

The next business was the bill (S. 2386) granting an increase of pension to John J. Sears.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John J. Sears, late of Company C, First Regiment Illinois Volunteer Infantry, in the war with Mexico, and who also served as captain Company K, Twelfth Regiment Kansas Volunteer Infantry, and as major of the Sixty-seventh Regiment United States Colored Infantry, and as lieutenant-colonel of the Eighteenth Regiment United States Colored Infantry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The bill was laid aside to be favorably reported to the House.

SOLON COOPER.

The next business was the bill (S. 3277) granting an increase of pension to Solon Cooper.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Solon Cooper, late of Company E, Tenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$45 per month in lieu of that he is now receiving.

The bill was laid aside to be favorably reported to the House.

GEORGE E. SCOTT.

The next business was the bill (S. 2101) granting an increase of pension to George E. Scott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George E. Scott, late of Company D, Thirty-sixth Regiment Iowa Volunteer Infantry, and pay to his wife, Mary B. Scott, for the use and benefit of himself and family, a pension at the rate of \$50 per month in lieu of that he is now receiving.

The bill was laid aside to be favorably reported to the House.

SARAH CLARK.

The next business was the bill (S. 3900) granting a pension to Sarah Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Clark, widow of John W. Clark, late of Company G, Sixth Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The bill was laid aside to be favorably reported to the House.

CAROLINE BUEHLER.

The next business was the bill (H. R. 10872) granting a pension to Caroline Buehler.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Caroline Buehler, widow of Francis Buehler, late captain of Company G, Sixty-eighth New York Volunteer Infantry, and pay her a pension of \$20 per month in lieu of the pension which she now receives.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out the word "upon" and insert in lieu thereof the word "on;" in the same line, after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."

In line 6, before the words "New York," insert the word "Regiment."

In line 7, after the word "pension," insert the words "at the rate."

Strike out all of line 8 and insert in lieu thereof the following: "that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Caroline Buehler."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

NATHANIEL TOWNSEND.

The next business was the bill (H. R. 5894) to increase the pension of Nathaniel Townsend.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place upon the invalid pension roll of the United States the name of Nathaniel Townsend, late a sergeant of Company C, Twenty-second Iowa Infantry Volunteers, and pay him a pension at the rate of \$30 a month in lieu of the pension he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nathaniel Townsend, late of Company C, Twenty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Nathaniel Townsend."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

SAMUEL W. CHILDS.

The next business was the bill (S. 78) granting a pension to Samuel W. Childs.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel W. Childs, late of the quartermaster's department, Company E, First Oregon Cavalry, and pay him a pension at the rate of \$12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ROSA G. THOMPSON.

The next business was the bill (H. R. 269) to place the name of Mrs. Rosa G. Thompson, formerly Mrs. Rosa G. Edwards, upon the pension roll.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place the name of Mrs. Rosa G. Thompson, formerly a matron and nurse of the United States during the war of the rebellion, upon the pension roll of the United States, at the rate of \$12 per month, from and after January 1, 1895.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all of lines 4, 5, 6, 7, and 8, and insert in lieu thereof the following: "authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rosa G. Thompson, formerly Rosa G. Edwards, late a nurse in the Medical Department, United States Volunteers, and pay her a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to Rosa G. Thompson, formerly Rosa G. Edwards."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

EMILY HAINES HARRISON.

The next business was the bill (H. R. 9176) granting a pension to Emily Haines Harrison.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Emily Haines Harrison, late a nurse at various hospitals during the civil war, and pay her a pension at the rate of \$12 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 6, after the word "Harrison," insert the word "late." In the same line strike out the words "at various hospitals" and insert in lieu thereof the words "in the Medical Department, United States Volunteers."

In line 7 strike out the words "during the civil war."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CHRISTINA NOLL.

The next business was the bill (S. 2795) granting an increase of pension to Christina Noll.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Christina Noll, widow of Adam Noll, late of Company K, Eighty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

CHARLES ALFRED DE ARNAUD.

The next business was the bill (H. R. 5644) to increase the pension of Charles Alfred De Arnaud.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place upon the pension roll the name of Charles Alfred De Arnaud, late captain, Fremont's staff, Missouri Volunteers, and pay him a pension at the rate of \$72 per month, with arrears from date of discharge, in lieu of pension now received by him.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Alfred De Arnaud, late captain on Fremont's staff of Missouri Volunteers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Charles Alfred De Arnaud."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN S. COGGESHALL.

The next business was the bill (H. R. 5120) granting a pension to John S. Coggeshall.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Coggeshall, late of Companies F and D, Fourth and Seventh Rhode Island Volunteers Infantry, and pay him a pension of \$72 per month in lieu of the pension he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 7, after the words "Rhode Island," insert the word "Regiments;" in the same line strike out the word "Volunteers" and insert in lieu thereof the word "Volunteer."

In line 8, after the word "pension," insert the words "at the rate;" in the same line strike out the words "seventy-two" and insert in lieu thereof the word "thirty."

In line 8 strike out the word "the."

In line 9 strike out the word "pension" and insert in lieu thereof the word "that."

Amend the title so as to read: "A bill granting an increase of pension to John S. Coggeshall."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JENNIE P. STOVER.

The next business was the bill (S. 2451) granting a pension to Jennie P. Stover.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jennie P. Stover, widow of William R. Stover, late of Company A, Twenty-seventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

PEBE E. C. PRIESTLY.

The next business was the bill (S. 1569) granting a pension to Phebe E. C. Priestly.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Phebe E. C. Priestly, late an Army nurse, and pay her a pension at the rate of \$12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY E. REYNOLDS.

The next business was the bill (H. R. 437) granting a pension to Mary E. Reynolds.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mary E. Reynolds, widow of Maj. Gen. Joseph E. Reynolds, United States Volunteers, and colonel, United States Army, and pay her a pension of \$50 a month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4, after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."

In line 5 strike out the words "Major-General;" in the same line strike out the letter "E." and insert in lieu thereof the letter "J."

In line 6, after the word "Reynolds," insert the words "late major-general."

In line 7, after the word "pension," insert the words "at the rate;" in the same line, before the word "month," strike out the word "a" and insert in lieu thereof the word "per."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

EDWARD M. TUCKER.

The next business was the bill (S. 4006) granting an increase of pension to Edward M. Tucker.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward M. Tucker, late of Battery C, Massachusetts Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

FLAVEL H. VAN EATON.

The next business was the bill (S. 2008) granting a pension to Flavel H. Van Eaton.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Flavel H. Van Eaton, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ANDREW JACKSON.

The next business was the bill (H. R. 2398) granting a pension to Andrew Jackson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Andrew Jackson, late sergeant in Company B, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension of \$30 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4, after the word "roll," insert the following: "subject to the provisions and limitations of the pension laws."

In line 5 strike out the words "sergeant in" and insert in lieu thereof the word "of."

In line 7, before the word "of," insert the words "at the rate;" in the same line strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MILTON H. DANIELS.

The next business was the bill (S. 2539) granting an increase of pension to Milton H. Daniels.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Milton H. Daniels, late captain Company C, Seventeenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

LOUESA MOULTON.

The next business was the bill (S. 3294) granting a pension to Louesa Moulton.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louesa Moulton, former widow of Erastus A. Burnham, late of Company D, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

FARNHAM J. EASTMAN.

The next business was the bill (S. 1758) granting an increase of pension to Farnham J. Eastman.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Farnham J. Eastman, late of Company E, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE E. TUTTLE.

The next business was the bill (S. 169) granting a pension to George E. Tuttle.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George E. Tuttle, late of Company G, Two hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$3 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM P. AYLESWORTH.

The next business was the bill (H. R. 4986) for the increase of pension of William P. Aylesworth.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of William P. Aylesworth, late of Company F, One hundred and forty-first Illinois Volunteer Infantry, and pay him at the rate of \$30 per month in lieu of the pension he is now receiving, he being totally blind.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "directed," and all of lines 5, 6, 7, and 8, and insert in lieu thereof the following: "to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William P. Aylesworth, late of Company F, One hundred and forty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to William P. Aylesworth."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ISABELLA UNDERWOOD.

The next business was the bill (S. 3289) granting a pension to Isabella Underwood.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isabella Underwood, widow of George W. Underwood, late a private in Company F, Second Regiment North Carolina Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

DWIGHT D. WILBER.

The next business was the bill (S. 163) granting an increase of pension to Dwight D. Wilber.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dwight D. Wilber, late of Company G, One hundred and thirty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES COOK.

The next business was the bill (S. 3899) granting a pension to James Cook.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Cook, late of Company G, Sixth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JACOB P. FLETCHER.

The next business was the bill (S. 2977) granting an increase of pension to Jacob P. Fletcher.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob P. Fletcher, late lieutenant, Company A, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES WILLIAMS.

The next business was the bill (S. 3788) granting an increase of pension to James Williams.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Williams, late of Company C, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARTHA M'SWAIN.

The next business was the bill (H. R. 1204) to pension Martha McSwain, widow of William McSwain.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Martha McSwain, widow of William McSwain, late private in Company F, Twenty-sixth Regiment Enrolled Missouri Militia, on the pension roll, and to pay her a pension at the rate of \$30 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha McSwain, widow of William McSwain, late of Company F, Twenty-sixth Regiment Enrolled Missouri Militia, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. CHAPMAN.

The next business was the bill (H. R. 7621) granting a pension to William H. Chapman.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of William H. Chapman, late a lieutenant on board the United States revenue cutter *Joe Lane*, and pay him a pension of \$25 per month.

The amendment recommended by the committee was read, as follows:

In line 4 strike out all after the word "roll," and all of lines 5, 6, and 7, and insert in lieu thereof the words "subject to the provisions and limitations of the pension laws, the name of William H. Chapman, late lieutenant, United States revenue cutter *Jo. Lane*, and pay him a pension at the rate of \$17 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES CRITZER.

The next business was the bill (S. 103) granting an increase of pension to Charles Critzer.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Critzer, late of Company I, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MRS. SARAH PARRISH.

The next business was the bill (H. R. 4650) granting a pension to Mrs. Sarah Parrish.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to put upon the pension roll the name of Mrs. Sarah Parrish, of Woolstock, Iowa, widow of the late Elza H. Parrish, at the rate of \$12 per month.

The amendment recommended by the committee was read, as follows:

In line 4 strike out all after the word "to," and all in lines 5 and 6, and insert in lieu thereof the following: "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Parrish, widow of Elza H. Parrish, late of Company K, Eightieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month, and \$3 per month additional on account of the minor child of said soldier until such child shall have arrived at the age of 16 years."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

KATE M. POND.

The next business was the bill (H. R. 3089) to grant a pension to Kate M. Pond.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll of the United States the name of Kate M. Pond, widow of Richard H. Pond, late a first lieutenant of

Company G of the Twelfth United States Infantry, at the rate of \$17 per month, to date from the 16th day of September, 1886, with \$2 per month additional for each child under 16 years of age, deducting whatever pension she may have received under her pension certificate No. 334635, act of the 27th of June, 1890; this pension to be in lieu of her said pension certificate No. 334635, act of the 27th of June, 1890.

The amendment recommended by the committee was read, as follows:

Strike out, in line 4, all after the word "roll" and all in lines 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 on page 1 and all of lines 1, 2, and 3 on page 2 and insert in lieu thereof the following: "subject to the provisions and limitations of the pension laws, the name of Kate M. Pond, widow of Richard H. Pond, late first lieutenant, Twelfth Regiment United States Infantry, and pay her a pension at the rate of \$17 per month, and \$2 per month additional for the minor child of the officer, in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. NEWELL.

The next business was the bill (S. 3183) granting a pension to George W. Newell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Newell, late of Company H, One hundredth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

LUKE H. MONSON.

The next business was the bill (S. 3300) granting an increase of pension to Luke H. Monson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Luke H. Monson, late of Company I, First Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES A. HUTCHINGS.

The next business was the bill (S. 1460) granting a pension to Charles A. Hutchings.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles A. Hutchings, late private, Company H, Third Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

HARRIET E. MEYLERT.

The next business was the bill (S. 3058) granting an increase of pension to Harriet E. Meylert.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet E. Meylert, widow of Asa P. Meylert, late medical director of the Army of the Ohio and Cumberland and originally surgeon of the Fifteenth Regiment Pennsylvania Infantry Volunteers, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY L. WHITE.

The next business was the bill (H. R. 10749) granting a pension to Henry L. White.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry L. White, late of Company D, Fourth Regiment Arkansas Mounted Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Mounted," strike out the word "Volunteer;" and in the same line, after the word "Arkansas," insert the word "Volunteer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JESSE MILLARD.

The next business was the bill (H. R. 3861) for the relief of Jesse Millard, late corporal Company G, Third Tennessee Cavalry.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Jesse Millard, late corporal Company G, Third Tennessee Cavalry, on the pension roll of the Department at the rate of \$72 per month from and after the 30th of April, 1898, on account of total blindness of said soldier.

The amendment recommended by the committee was read, as follows:

Strike out all after the word "place," in line 4, and all in lines 5, 6, 7, 8, and 9 and insert in lieu thereof the following: "on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse Millard, late of Company G, Third Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension."

Mr. MOON. Mr. Chairman, I move to amend the amendment offered by the committee by striking out the word "twelve," in line 12, and inserting in lieu thereof "thirty-six." The committee have reported that that soldier is totally blind, and evidently overlooked the fact that \$12 a month—

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 12 strike out "twelve" and insert "thirty-six."

Mr. HOPKINS. Mr. Chairman, I desire to ask the gentleman is the blindness the result of his service?

Mr. MOON. I will say to the gentleman that the report of the committee shows that this blindness came upon the soldier about twelve months after the close of the war, and that the finding of the Pension Commissioner, approved by the Assistant Secretary of the Interior, is that his blindness was not brought about by the service.

Now, my contention is, Mr. Chairman, that if the soldier is entitled to a pension at all, and the proof shows that he is totally blind and utterly incapable of taking care of himself, the sum of \$12 is inadequate. I believe there will be no objection on the part of the committee to accepting this amendment. If there is, I would like to be heard further.

Mr. HOPKINS. Well, I would like to hear further, because at the present stage of the case I shall object to the amendment. The amount fixed by the committee is the amount allowed under the law where the disability is not incurred in the line of service. Now, if this man's blindness had any relation to or connection with the service in the Army, I agree fully with the gentleman that he should be compensated by a pension of the character he speaks of. But if it has no connection whatever, and he admits it has not, then why should this soldier be treated any differently from any other soldier who is disabled on account of his disability arising from something entirely foreign to his service in the Army?

Mr. MOON. I stated merely the finding of the Pension Commissioner upon that question, and the fact that the Assistant Secretary had approved it. The record in this case, in my judgment, will convince any jury or any judge that this man's disability did arise from service in the Army. The fact that we are here asking for an increase is due to the unjust and unfair holding on the part of the Department in reference to this soldier.

Mr. HOPKINS. What does the committee that investigated it and which reported the bill find?

Mr. MOON. The committee reports the finding of the Pension Department on the question.

Mr. HOPKINS. Does it find that the blindness is due to service in the Army?

Mr. MOON. They do not; they take the report of the Department as prima facie evidence. I come to Congress for the soldier for the purpose of going behind it.

Mr. HOPKINS. Did you or the party interested in securing this pension introduce evidence before the committee in addition to the report of the Pension Bureau on that subject?

Mr. MOON. I had nothing to do with making up the case. I was not the attorney; I am but his representative. My information is there is ample proof upon the subject.

Mr. HOPKINS. Did not the committee find anything in regard to that?

Mr. MOON. They make no additional finding. It approves the finding of the Pension Commissioner. There is no doubt about that. The soldier has claimed all along, and claims now, that, having been afflicted with blindness immediately after the war, it is the result of his service in the war. There is no proof of this record to indicate, in my judgment, that the blindness did not come from his service in the war. I have no desire to contend with the committee on the question, but this record shows a state of facts, in my judgment, that entitles this man to relief. Some of the witnesses against this petitioner even declare that the petitioner was not blind at all.

Mr. HOPKINS. Will the gentleman have the report of the committee read as a part of his remarks?

Mr. MOON. Certainly.

Mr. GIBSON. Mr. Chairman, I can make a statement, I think, which will be satisfactory to the gentleman from Illinois. I made the report in this case, and I will state to him the facts. The Pension Bureau pensioned this man at one time at \$72 a month for total blindness. There is no question but the man is totally blind

and has been ever since a short time after his discharge. The man had a long service, beginning in 1862, and was mustered out in 1865. He was one of those unfortunate men who were victims of the *Sultana* disaster. I can state outside of the record that there were nearly a thousand men on the *Sultana* from Tennessee. About every April—the 27th, I think—they have an anniversary.

I have participated in them a number of times. There are about 400 survivors in the State of Tennessee, and a large proportion of them have impaired eyesight and a number of them are pensioned for total blindness. The blindness appeared on this man about a year after the shipwreck of the *Sultana*, and the Pension Bureau pensioned him as having acquired his disability as the result of the *Sultana* disaster. But several years afterwards, I suppose on some suspicion or other, the matter was referred to a special examiner, and the special examiner, without going into the details or the proof, for he filed scarcely any, came to the conclusion that inasmuch as the infirmity did not appear in a virulent form on the pensioner until about a year after the *Sultana* disaster, it did not result from that disaster. In the meantime this claimant had drawn a pension at the rate of \$72 a month for a number of years.

The Pension Bureau dropped him down to \$12 a month and charged against him all the pension that had been drawn at the rate of \$72 a month. In other words, they decided that he could not draw any more pension until he had made good the difference between \$12 a month and \$72 a month. The result is that he would have to live thirty or forty years in order to draw any pension at all.

Under these circumstances the committee has reported the amount named in the bill. I will say that upon further consideration of the case, and talking with my colleague, the Representative from the Third district of our State [Mr. Moon], I believe that I have erred against this man, and I should be very willing to agree that his pension be fixed at \$24. I am a little inclined to believe that \$36 would be too much, although it has been the uniform practice of the Pension Committee—

Mr. HOPKINS. The gentleman will allow me to say that, as I understand, this report comes unanimously from the committee, fixing the pension at \$12 a month.

Mr. GIBSON. That is a fact.

Mr. HOPKINS. If there be any doubt about the justice of the action of the committee, I move that the bill be recommitted, that the case may be further considered. But it seems to me it would be highly improper for us, without any further information in this case than we have given to us by the statement of the two gentlemen interested, to increase this pension over what was fixed by the committee itself, they having all the facts and acting in a deliberate, judicial way.

Mr. MAHON. Mr. Chairman, the act of 1890 fixed the maximum pension at \$12 a month where the disability was not of service origin. But to my knowledge and to that of the gentleman from Illinois [Mr. Hopkins], in extraordinary cases this House has hundreds of times passed bills increasing the pension of men who were receiving \$12 a month under the act of 1890. In some of these cases the House has given as high as \$72 a month where the soldier has been totally disabled, has been without means, and has rendered meritorious service.

I will vote to give \$36 a month in this case because of this soldier's long and meritorious service. I will so vote without regard to the question whether his disability is of service origin or not. Although there seems some doubt about that question, it is a fact that the man became totally blind shortly after the disaster which has been described. He is a soldier whose service was long and meritorious; he is totally blind; he is dependent. Why, sir, we have placed on the pension roll at fifty, sixty, or seventy-five dollars a month men who had good legs under them, who had good eyes, and some of whom, perhaps, never heard a gun crack.

The Commissioner is not to blame, perhaps, for rejecting this claim. But I feel perfectly willing to vote for a pension of \$36 a month. We have just voted to grant a pension of \$32 a month to a man who is now drawing two salaries amounting to \$3,000 a year. I am not opposing that claim. But I say that a man who has lost his sight, who is in a helpless condition, who rendered honorable service in the Army during the civil war, and who, I understand, is 60 years of age, should receive a pension of at least \$36 a month.

Mr. MOON. Mr. Chairman, I am surprised that the gentleman from Illinois [Mr. Hopkins] should object to pensioning this Tennessee soldier; and I am obliged to my friend from Pennsylvania [Mr. Mahon] for the position he has taken. I regret the necessity on my part of saying to the gentleman from Illinois and some other gentlemen on that side of the House that under almost any and every circumstance they are willing to grant pensions to Federal soldiers who come from the Northern, Eastern, and Western States; but there is nearly always trouble when a Federal soldier from Tennessee asks for his rights in this House. The soldiers

from Tennessee were as loyal to this Government as those from any other portion of the Union. It took more to be a Tennessee Federal soldier than it took to be a Federal soldier from Illinois.

While I am a Democrat, representing a Democratic district, not in full accord with the Republican party upon this question of pensions, I have yet believed at all times, and do now believe, that no government can sustain itself unless it gives fair, honest, and liberal pensions to the soldiers who have upheld that government in her hour of trial and danger. [Applause.] As a Representative from Tennessee, I protest that this House should not treat Federal soldiers of Tennessee in a different manner from the way in which they would treat soldiers from Illinois, New York, or any other State.

This soldier is totally blind, and while the Pension Commissioner and the committee have entertained some doubts upon this question, I would not hesitate, if the question of restoring the pension to \$72 a month could be brought up, to ask that we might go before any honest jury or court anywhere in the country, when and where I believe we would have no difficulty in establishing the fact that this soldier incurred his blindness in the line of duty.

The gentleman from Pennsylvania has well said that even if that were not true the soldier, if he is entitled to a pension at all, is entitled to more than \$12 a month. Do you propose to say to a blind Federal soldier from Tennessee who served for years in the Army, "You are blind, but there is doubt whether you became blind by reason of your Army service; you have other disabilities which entitle you to a pension; and although blind and otherwise disabled, you shall have only the pittance of 30 cents a day, while we are giving to officers and soldiers from other parts of the country \$50, \$60, or \$100 a month, and are giving to gentlemen who hold two or three lucrative positions large allowances by way of pensions."

This course is unjust to the soldier anywhere. I do not intend that this Congress shall treat a soldier of my district in that way without a protest. I insist on the proposition to amend this amendment by inserting \$36 instead of \$12.

Mr. HOPKINS. Mr. Chairman, the argument that has just been made by the gentleman who has just taken his seat is little short of contemptible.

Mr. MOON. I desire to say, Mr. Chairman, that the statement of the gentleman from Illinois is untrue, every word of it, when he speaks of any word that I have uttered as contemptible.

THE CHAIRMAN. The committee will be in order.

Mr. HOPKINS. The gentleman's assumption that the argument I have made here is because this old soldier is a Tennessee soldier—

Mr. MOON. Let me say to the gentleman, if I may interrupt him, that I have made no such assumption, and if the gentleman has the intelligence that he is credited with he knows that no such assumption has been made.

Mr. HOPKINS. Then why is the gentleman talking about this soldier coming from Tennessee; and about others from Illinois being pensioned without objection? Is he not trying to make a little cheap—

Mr. MOON. I will say to the gentleman that these Tennessee soldiers have been ignored, and I say you can not do it any longer while I am a member of this House, without protest.

Mr. HOPKINS. That is the very argument that I said the gentleman was making, and I say it is contemptible.

Mr. MOON. I say that statement is untrue, and I defy you, and I say your proposition is not true, and you know it.

Mr. HOPKINS. Mr. Chairman, in my service of fifteen years on this floor no man on the Republican side has ever objected to the pension of a Federal soldier because he came from any locality—North, South, East, or West. The gentleman may think that he will make a little capital for himself in his district with those soldiers down there. I can not conceive of any other inducement that would have caused him to indulge in the line of argument that he has made upon this question.

Mr. MOON. May I interrupt the gentleman—

Mr. HOPKINS. Yes.

Mr. MOON. The statement that I have made a contest for these soldiers with the idea of making votes or support for myself is not only untrue, but to use your own language, it is infamous and "contemptible."

Mr. HOPKINS. Mr. Chairman, the gentleman can make as much out of that as he pleases. The line of argument that he has indulged in was of the character that I have already indicated, and from his action upon this floor he could have been prompted by no other motive than the one which I attribute to him.

Mr. MOON. I repeat again, you have stated a falsehood before this committee.

Mr. HOPKINS. I care not how the gentleman may characterize it, it will make no difference with me on this proposition.

What I started out to say, however, is that in the fifteen years that I have served upon this floor no Republican member has ever

raised any objection to granting a pension to a soldier on account of the locality in which he lives or for the service in the Army that he engaged in. The point that I undertook to make with the gentleman when he started out upon this was as to whether the disability for which he is seeking to have this soldier pensioned was a disability that arose from his service as a soldier, or whether it was a disability that occurred to him as a citizen, entirely independent of his army service. Every member who is familiar with legislation upon this floor knows that if the disability had arisen in the line of service this soldier would have been entitled to \$72 a month, and I also understand that the law is that if the disability arose entirely out of something foreign to this service, that then he would be allowed a pension of \$12 a month.

I sought honestly and fairly to get at the facts in this matter. I wanted to develop the facts as to whether there were any special arguments that could be used in favor of this soldier that did not apply to the great mass of Federal soldiers who are disabled from other causes than their Army service and who are filling our almshouses and are eking out existence by the aid of their friends. Every member, I think, understands and appreciates the fact that a man who served his country faithfully and well during the dark and stormy period of the rebellion is entitled not only to the sympathy but to the aid of the Federal Government. The question is, however, as to the amount of aid that should be extended. In legislation of this kind we can not make fish of one and fowl of another. We can not take one soldier who has disabilities arising from causes other than his service and give him a pension of \$24 or \$36 a month and another equally meritorious soldier only \$12. That is making a discrimination that ought not to exist here in this House.

Mr. NEVILLE. Will the gentleman yield for a question?

Mr. HOPKINS. Yes.

Mr. NEVILLE. Is it not true that if the man is totally blind he could get \$12 a month from the Pension Department under the law of 1890?

Mr. HOPKINS. Oh, yes.

Mr. NEVILLE. Without coming here?

Mr. HOPKINS. Yes; that is correct. But they have already explained why he comes here; because at one time he drew a larger pension, and that was taken away because the facts did not warrant it, and the Pension Bureau refused to give him the \$12 a month under the general law until that is paid back. Now, by coming in here with a special bill he can be pensioned at the rate of \$12 a month, and secure that \$12 a month regardless of the money that he has already drawn from the United States. That I understand to be the purpose of this bill. Now, if I am not correct in that, I will stand corrected by the committee having the bill in charge.

As I said, Mr. Chairman, I did not apprehend that there was to be any heat upon either side of the Chamber over this matter when I raised the question; but I insist that the action of this committee in fixing the pension at \$12 a month ought not to be changed by this House unless there are special reasons for it. If special reasons exist, I think the suggestion made some time ago should be followed—that is, that the bill should be re-referred to the committee, who have all the facts before them, and let them report whether an increase over \$12 a month should be granted.

Mr. RIDGELY. Mr. Chairman, I appeal to the members that in a case as clearly stated as this one there should not be any objection to the amendment increasing this blind soldier's pension to \$36. As I understand it, the question is whether his blindness resulted from injuries received in the service or elsewhere, and also that the Pension Commissioner has held that because a larger pension heretofore drawn by him was granted to him without proper evidence, therefore the money that he has drawn heretofore must be repaid to the Treasury out of his present allowance of \$12 per month. Therefore this soldier at this time gets nothing.

Mr. HOPKINS. Yes; but he will get his \$12 a month with a special bill.

Mr. RIDGELY. Yes; under a special bill he will get it; but let me state, while you are willing to waive the matter of repaying the \$12 a month, and are willing to grant that much, yet according to this report the man is absolutely blind. There is a degree of obligation between this great Government and every soldier who hazards his life and the support of those dependent upon him which is virtually this in spirit: The Government says, "If you will take upon yourself the risk of a soldier's life in defense of your country, your country will protect you and those dependent upon you against any misfortune that may come to you during your life." There is a certain percentage of this insurance given to every man who takes upon himself the hazard of a soldier's life.

I appeal to you, gentlemen, to let this poor, old, blind soldier, for the few remaining days of his life, have the \$36 a month that is asked by Mr. Moon in the amendment he is urging. I believe you will do it. Let us have a vote and grant this blind man his \$36 from this time until he enters his grave. By granting him

that we will be doing our duty and doing what the people of this nation want us to.

The CHAIRMAN. The question is upon the amendment to the amendment offered by the gentleman from Tennessee [Mr. Moon]. The amendment to the amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

HARRIET V. GRIDLEY.

Mr. BROMWELL. Mr. Chairman, I have been requested to ask unanimous consent to be permitted to call up the bill of the widow of Captain Gridley, who was the captain of the flagship at the battle of Manila. It is one of the bills reported by the Committee on Pensions, not Invalid Pensions, and there are 127 bills reported by the Committee on Invalid Pensions before we reach those that have been reported by the Committee on Pensions. You all know the case, and I therefore ask unanimous consent for the present consideration of this bill. It will take but a few minutes.

The Clerk read as follows:

A bill (S. 410) granting an increase of pension to Harriet V. Gridley.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that this bill may be taken up at this time. Is there objection? [After a pause.] The Chair hears none.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet V. Gridley, widow of Charles V. Gridley, late captain, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

Mr. S. A. DAVENPORT. I move to amend this by substituting the Senate bill, which fixes the amount—

Mr. BROMWELL. I think the gentleman wants to make it \$50, instead of \$40, as reported by the Committee on Pensions, which committee reported it at \$50 a month, to be consistent with similar bills and for officers of similar rank. If that is the intention of the gentleman, the proper method, I think, would be to vote down the amendment of the Committee on Pensions, and then adopt the bill as it came from the Senate.

Mr. S. A. DAVENPORT. That is my wish. I move that the amendment be voted down—

The CHAIRMAN. That motion would not be in order. It comes up on agreeing to the amendment, and if the motion is disagreed to, that would result in the same effect. The question is on agreeing to the committee amendment, to strike out "fifty" and insert "forty."

The question was taken; and the amendment was rejected.

The bill was ordered to be laid aside with a favorable recommendation.

LEWIS SWENSON.

The next business was the bill (H. R. 7329) to increase the pension of Lewis Swenson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis Swenson, late of Company K, Eleventh Regiment Minnesota Volunteer Infantry, and to pay him a pension at the rate of \$30 per month in lieu of the pension he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4 strike out the word "upon" and insert in lieu thereof the word "on."

In line 7 strike out the word "to."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "seventeen;" in the same line strike out the words "the pension" and insert in lieu thereof the word "that."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AUGUSTUS C. PYLE.

The next business was the bill (S. 1274) granting an increase of pension to Augustus C. Pyle.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Augustus C. Pyle, late of Company G, Thirty-fifth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY A. HANSON.

The next business was the bill (H. R. 2849) granting a pension to Mary A. Hanson, of Jackson County, Ill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the general pension laws, the name of Mary A. Hanson, widow of Samuel M. Hanson, late a soldier in Company B, Eighty-first Regiment Illinois Infantry Volunteers, in the war of the rebellion.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the word "general."
In line 7 strike out the words "a soldier in" and insert in lieu thereof the word "of."
In line 7, after the word "Illinois," insert the word "Volunteer."
In line 8 strike out the words "Volunteers, in the war of the rebellion," and insert in lieu thereof the words "and pay her a pension at the rate of \$8 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH F. WOLFLEY.

The next business was the bill (S. 3032) granting a pension to Elizabeth F. Wolfley.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth F. Wolfley, widow of William I. Wolfley, late assistant surgeon of the Sixty-second Regiment Ohio Volunteer Infantry and surgeon of United States Volunteers, and pay her a pension at the rate of \$25 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES BYRNE.

The next business was the bill (S. 1548) granting an increase of pension to James Byrne.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Byrne, late of Company H, Twenty-fifth New York Volunteer Cavalry, and Company G, First United States Cavalry, and pay him a pension at the rate of \$17 per month in lieu of that he now receives.

The bill was ordered to be laid aside with a favorable recommendation.

FANNIE M. O'LINN.

The next business was the bill (H. R. 7553) granting a pension to Fannie M. O'Linn, of Chadron, in the State of Nebraska.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Fannie M. O'Linn, of Chadron, in the State of Nebraska, widow of Daniel H. O'Linn, late a private in Company F, Ninety-second Ohio Volunteer Infantry, and pay her a pension of \$50 per month in lieu of the pension she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4 strike out the word "upon" and insert in lieu thereof the word "on."
In line 6 strike out the words "of Chadron, in the State of."
In line 7 strike out the word "Nebraska;" in the same line strike out the words "a private in" and insert in lieu thereof the word "of."
In line 8, before the word "Ohio," insert the word "Regiment."
In line 9, after the word "pension," insert the words "at the rate;" in the same line strike out the word "fifty" and insert in lieu thereof the word "seventeen;" in the same line, after the word "of," strike out the word "the."
In line 10 strike out the words "the pension" and insert in lieu thereof the word "that."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY H. BLOCKSON.

The next business was the bill (S. 1364) granting an increase of pension to Henry H. Blockson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry H. Blockson, late of Company F, One hundred and fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SUSAN BUCK.

The next business was the bill (S. 716) granting a pension to Susan Buck.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan Buck, widow of Daniel W. Buck, late of Company E, Eighth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The bill was ordered to be laid aside with a favorable recommendation.

BERNARD DUNN.

The next business was the bill (S. 4007) granting an increase of pension to Bernard Dunn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bernard Dunn, late of Company A, Second Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JULIA A. HEATH.

The next business was the bill (H. R. 1990) for the relief of Julia A. Heath.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll of the United States, at the rate of \$12 per month, the name of Julia A. Heath, widow of the late Chancey B. Heath, private, Company D, Thirty-eighth Regiment Iowa Volunteer Infantry.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia A. Heath, widow of Chauncey B. Heath, late of Company D, Thirty-eighth Regiment, Iowa Volunteer Infantry, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FREDERICK W. KELLOGG.

The next business was the bill (H. R. 6854) to increase the pension of Frederick W. Kellogg.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Frederick W. Kellogg, a private in Company A, Second Regiment Ohio Volunteer Cavalry, during the late civil war, from \$12 per month to \$72 per month, and to issue to said Kellogg a new certificate for said amount, as increased by this act, in lieu of the one he now holds.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "to" and all in lines 5, 6, 7, 8, and 9 and insert in lieu thereof the following: "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick W. Kellogg, late of Company A, Second Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Frederick W. Kellogg."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE BUNCE.

The next business was the bill (S. 61) granting a pension to George Bunce.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Bunce, late private, Company A, One hundred and forty-third Regiment Illinois Volunteer Infantry, also corporal, Company B, One hundred and fifty-fifth Illinois Infantry, and pay him a pension at the rate of \$12 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOSEPH B. COONS.

The next business was the bill (S. 825) granting a pension to Joseph B. Coons.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph B. Coons, late captain Company B, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOSEPH M. SHAW.

The next business was the bill (H. R. 9308) granting an increase of pension to Joseph M. Shaw.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed, subject to the provisions and limitations of the pension laws, to pay to Joseph M. Shaw, late of Company F, First United States Cavalry, a pension at the rate of \$40 per month in lieu of the one he is now receiving under pension certificate No. 113371, issued by the Pension Bureau.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

In line 4 strike out all after the word "directed," and all of lines 5, 6, 7, 8, 9, and 10, and insert in lieu thereof the following: "to place on the pension

roll, subject to the provisions and limitations of the pension laws, the name of Joseph M. Shaw, late of Company F, First Regiment United States Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN G. B. MASTERS.

The next business was the bill (S. 1551) granting a pension to John G. B. Masters.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John G. B. Masters, late of Company C, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$8 per month.

The bill was laid aside to be reported with a favorable recommendation.

KATE CADWELL.

The next business was the bill (S. 3154) granting an increase of pension to Kate Cadwell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kate Cadwell, widow of Eugene Cadwell, late of Company E, First Regiment Minnesota Volunteer Heavy Artillery, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY P. HUNTER.

The next business was the bill (S. 3634) granting a pension to Mary P. Hunter.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary P. Hunter, widow of Joseph Hunter, late of Company C, Sixth Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

HARRIET CROTSBURG.

The next business was the bill (H. R. 10062) granting an increase of pension to Harriet Crottsburg, widow of Nick Crottsburg, late second lieutenant of Company F, Thirteenth Regiment Wisconsin Volunteer Infantry.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet Crottsburg, widow of Nick Crottsburg, late second lieutenant of Company F, Thirteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The following amendments, recommended by the committee, were read:

In line 7 strike out the word "of;" in the same line, before the word "Wisconsin," insert the word "Regiment."

In line 8 strike out the word "twelve" and insert in lieu thereof the word "fifteen."

Amend the title so as to read: "A bill granting an increase of pension to Harriet Crottsburg."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

GIDEON W. T. RIDLON.

The next business was the bill (H. R. 10381) granting an increase of pension to G. T. Ridlon.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of G. T. Ridlon, late of Company C, Twenty-seventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 6 strike out the initial letter "G" and insert in lieu thereof the following: "Gideon W."

Amend the title so as to read: "A bill granting an increase of pension to Gideon W. T. Ridlon."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOSEPH CRAWFORD.

The next business was the bill (H. R. 4800) granting a pension to Joseph Crawford.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Joseph Crawford, late of Company C, One hundred and thirty-third Regiment of West Virginia Militia, and pay him a pension at the rate of \$50 per month, on account of injuries to his health received, and physical disabilities occasioned,

while a prisoner of war, captured while acting under orders of the military authorities of the United States, and confined in Confederate prisons from September, 1863, until December, 1864.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4, after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."

In line 6 strike out the word "of," and in the same line, before the word "Militia," insert the word "State."

In line 7 strike out the word "fifty" and insert in lieu thereof the word "thirty," and in the same line strike out the words "on account of," and all of lines 8, 9, 10, 11, 12, and 13.

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

BETSY A. SUMMERS.

The next business was the bill (H. R. 10847) granting a pension to Betsey A. Summers.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, directed to place on the pension roll the name of Betsey A. Summers, widow of Rowen Summers, late a private of Company G, Seventeenth Michigan Infantry, and pay her a pension at the rate of \$12 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Betsey A. Summers, widow of Rowen Summers, late first lieutenant Company G, Seventeenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$17 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Betsey A. Summers."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM A. KEYES.

The next business was the bill (S. 3549) granting an increase of pension to William A. Keyes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William A. Keyes, late first lieutenant Company D, One hundred and fourteenth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The bill was laid aside to be reported favorably to the House.

JOHN W. CRAIG.

The next business was the bill (H. R. 471) granting an increase of pension to John W. Craig.

Mr. SULLOWAY. I ask that Senate bill No. 2286, similar in its provisions to this House bill, be taken up in lieu of the House bill.

There was no objection; and the bill (S. 2286) granting an increase of pension to John W. Craig was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Craig, late of Company F, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was laid aside to be reported favorably to the House.

The CHAIRMAN. In the absence of objection, House bill 471, similar in purport to the bill just laid aside, will be reported to the House with the recommendation that it lie on the table.

There was no objection.

ISAAC M. SHUP.

The next business was the bill (S. 1822) granting an increase of pension to Isaac M. Shup.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac M. Shup, late of Company K, Twenty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The bill was laid aside to be favorably reported to the House.

JOSEPH QUINN.

The next business was the bill (H. R. 8207) to grant a pension to Joseph Quinn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Joseph Quinn, late private of Company F, One hundred and sixty-ninth Regiment New York State Volunteer Infantry, and pay him a pension at the rate of \$4 per month from the date of his honorable discharge from such service, May 29, 1865, to the date of the approval of this act, and from that date at the rate of \$12 per month.

The committee amendments were read, and agreed to, as follows:

Strike out all in line 4 after the word "roll," and all of lines 5, 6, 7, 8, 9, 10, and 11 and insert in lieu thereof the following: "subject to the provisions

and limitations of the pension laws, the name of Joseph Quinn, late of Company F, One hundred and sixty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to Joseph Quinn."
The bill as amended was laid aside to be reported favorably to the House.

ROSA L. COUCH.

The next business was the bill (S. 314) granting a pension to Rosa L. Couch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rosa L. Couch, widow of Simon A. Couch, late captain Company D, Thirtieth Regiment Wisconsin Infantry Volunteers, and pay her a pension at the rate of \$12 per month.

The bill was laid aside to be reported favorably to the House.

CHARLES S. PAINE.

The next business was the bill (H. R. 7327) granting an increase of pension to Charles S. Paine.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles S. Paine, late of Company B, First Regiment of Wisconsin Volunteer Cavalry, and to pay him a pension at the rate of \$72 a month in lieu of the pension he is now receiving.

The committee amendments were read, and agreed to, as follows:

In line 8 strike out "seventy-two" and insert "fifty."

In line 9 strike out "the pension" and insert "that."

The bill as amended was laid aside to be favorably reported to the House.

AMOS W. FELKER.

The next business was the bill (H. R. 9719) granting a pension to Amos W. Felker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amos W. Felker, Company (unorganized), Fourteenth Regiment Maine Infantry, and pay him a pension at the rate of \$12 per month.

The committee amendments were read, and agreed to, as follows:

In line 6 strike out the words "Company (unorganized)" and insert in lieu thereof the words "late of."

In line 7, after the word "Maine," insert the word "Volunteer."

The bill as amended was laid aside to be favorably reported to the House.

JOHN NICKLIN.

The next business was the bill (H. R. 7328) granting an increase of pension to John Nicklin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of John Nicklin, late of First Battery, Minnesota Volunteer Light Artillery, and to grant him a pension at the rate of \$50 a month in lieu of the pension he is now receiving.

The committee amendments were read, and agreed to, as follows:

In line 4 strike out the word "upon" and insert in lieu thereof the word "on."

In line 6, before the word "First," insert the word "the."

In line 7 strike out the words "to grant" and insert in lieu thereof the word "pay;" in the same line strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

In line 8 strike out the word "a" and insert in lieu thereof the word "per;" in the same line strike out the words "the pension" and insert in lieu thereof the word "that."

The bill as amended was laid aside to be favorably reported to the House.

LYDIA F. WILEY.

The next business was the bill (S. 756) granting a pension to Lydia F. Wiley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lydia F. Wiley, widow of John Wiley, late surgeon of the Sixth Regiment New Jersey Infantry Volunteers, and pay her a pension at the rate of \$30 per month.

The bill was laid aside to be favorably reported to the House.

MARTIN V. B. WINKLER.

The next business was the bill (H. R. 10778) granting an increase of pension to Martin V. B. Winkler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, the name of Martin V. B. Winkler, late of Company K, Forty-third Indiana Infantry, and pay him a pension of \$50 per month in lieu of the pension he is now receiving.

The committee amendments were read, and agreed to, as follows:

In line 4 strike out "upon" and insert "on."

In lines 4 and 5 insert "subject to the provisions and limitations of the pension laws."

In line 7, before "Indiana," insert "Regiment," and after "Indiana" insert "Volunteer."

In line 8 strike out "of \$50" and insert "at the rate of \$30."

In lines 8 and 9 strike out "the pension" and insert "that."

The bill as amended was laid aside to be favorably reported to the House.

ROBERT J. KOONCE.

The next business was the bill (S. 2215) granting an increase of pension to Robert J. Koonce.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert J. Koonce, late of Company B, Eighty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was laid aside to be favorably reported to the House.

PHOEBE A. LA MOTT.

The next business was the bill (H. R. 9502) granting a pension to Phoebe A. La Mott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, directed and authorized to place upon the pension roll the name of Phoebe A. La Mott, widow of James P. La Mott, late member of Company I, Sixty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension of \$25 per month.

The committee amendment was read, and agreed to, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Phoebe A. La Mott, widow of James P. La Mott, late first lieutenant Company D, Sixty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$17 per month, and \$2 per month additional for the minor child of said officer, in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Phoebe A. La Mott."

The bill as amended was laid aside to be favorably reported to the House.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CANNON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. BENNETT, its Secretary, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to bills of the following titles:

S. 207. An act granting an increase of pension to Margaret E. Van Horn;

S. 517. An act granting a pension to Nancy E. Neely;

S. 1781. An act granting an increase of pension to Julia MacN. Henry and;

S. 1619. An act granting an increase of pension to Ella Cotton Conrad.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 10301) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1901, disagreed to by the House of Representatives, and had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WOLCOTT, Mr. CHANDLER, and Mr. BUTLER as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill and joint resolution of the following titles; in which the concurrence of the House was requested:

S. 4606. An act to provide for the investigation of the historical archives and public records of the several States and Territories and of the United States with a view to their preservation by publication; and

S. R. 127. Joint resolution to fill a vacancy in the Board of Regents of the Smithsonian Institution.

SAMANTHA BARNES.

The committee resumed its session.

The next business was the bill (S. 1553) granting an increase of pension to Samantha Barnes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samantha Barnes, widow of Newcomb M. Barnes, late captain Company I, One hundred and first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

JULIA E. G. LEWIS.

The next business was the bill (H. R. 1803) granting a pension to Julia E. G. Lewis.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia E. G. Lewis, late a private in Company C, Third Regiment Michigan Volunteer Cavalry, and pay her a pension of \$12 a month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 6, after the word "Lewis," insert the words "widow of William H. Lewis;" in the same line strike out the words "a private in" and insert in lieu thereof the word "of."

In line 7, before the word "Cavalry," insert the word "Volunteer;" in the same line, after the word "pension," insert the words "at the rate."

In line 8 strike out the word "a" and insert in lieu thereof the word "per."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM BLADES.

The next business was the bill (S. 2962) granting an increase of pension to William Blades.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Blades, late of Company B, Third Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

LEVI CHANDLER.

The next business was the bill (S. 1207) granting an increase of pension to Levi Chandler.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Levi Chandler, late of Company I, Eighth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM LOVE.

The next business was the bill (H. R. 5150) granting a pension to William Love.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Love, late a private in Company B, Fifty-seventh Pennsylvania Militia Volunteers, and pay him a pension of \$12 per month for total disability, to take effect from the passage of this act.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 6 strike out the word "a;" in the same line strike out the word "in" and insert in lieu thereof the word "of."

In line 7, before the word "Pennsylvania," insert the word "Regiment;" in the same line strike out the words "Militia Volunteers" and insert in lieu thereof the words "Volunteer Emergency Militia;" in the same line, after the word "pension," insert the words "at the rate."

In line 8 strike out the words "for total disability, to take effect."

In line 9 strike out the words "from the passage of this act."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE W. RAGLAND.

The next business was the bill (S. 2276) granting an increase of pension to George W. Ragland.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Ragland, late captain of Company H, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY E. DICKEY.

The next business was the bill (H. R. 5208) granting a pension to Mary E. Dickey.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Dickey, as widow of James M. Dickey, late of Company C, First Regiment New Hampshire Heavy Artillery Volunteers, and pay her a pension of \$12 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In the line 7, after the words "New Hampshire," insert the word "Volunteer."

In line 8 strike out the words "Volunteers;" in the same line, after the word "pension," insert the words "at the rate."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY A. WHITMORE.

The next business was the bill (H. R. 1734) to grant a pension to Mary A. Whitmore.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, the name of Mary A. Whitmore, of Wisconsin, widow of Michael H. McCullow, late private of Company C, Thirty-fifth Regiment Wisconsin Infantry Volunteers, and pay her a pension of \$16 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 3, after the word "and," insert the word "he."

In line 4, after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."

In line 5 strike out the words "of Wisconsin."

In line 6 strike out the word "McCullow" and insert in lieu thereof the word "McCullon." In the same line strike out the word "private."

In line 7 strike out the word "Volunteers," and in the same line, before the word "Infantry," insert the word "Volunteer." In the same line, after the word "pension," insert the words "at the rate."

In lines 7 and 8 strike out the word "sixteen" and insert in lieu thereof the word "twelve."

Amend the title so as to read: "A bill granting a pension to Mary A. Whitmore."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN WHITMORE.

The next business was the bill (H. R. 10912) granting an increase of pension to John Whitmore.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Whitmore, late of Company F, One hundred and nineteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

MICHAEL S. BROCKETT, GEORGE W. WILLIAMS, AND ISAAC N. WILLHITE.

The next business was the bill (H. R. 6407) to increase the pensions of Michael S. Brockett, George W. Williams, and Isaac N. Willhite.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to increase the pensions of Michael S. Brockett, George W. Williams, and Isaac N. Willhite, all late members of the Fifty-sixth Illinois Volunteers, and who are the sole survivors of the catastrophe of the burning of the steamship *General Lyon* off Cape Hatteras, March 31, 1865, and pay each of them a pension of \$100 a month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "to," and all in lines 5, 6, 7, 8, 9, and 10, and insert in lieu thereof the following: "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael F. Brockett, late of Company F, Fifty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Michael F. Brockett."

The committee amendments were agreed to.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ANNA WHITNEY TARBELL.

The next business was the bill (S. 2142) for the relief of Anna Whitney Tarbell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna Whitney Tarbell, widow of Jonathan Tarbell, colonel Ninety-first Regiment New York Volunteer Infantry, and brevet brigadier-general, and pay her a pension at the rate of \$30 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

CHARLES A. WESTFIELD.

The next business was the bill (H. R. 9010) granting an increase of pension to Charles A. Westfield, of Wilkesbarre, Pa.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles A. Westfield, late of Company G, One hundred and forty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

Amend the title so as to read: "A bill granting an increase of pension to Charles A. Westfield."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

EDMUND P. TIERNEY.

The next business was the bill (H. R. 2752) granting a pension to Edmund P. Tierney.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Edmund P. Tierney, lately an acting assistant surgeon in the United States Army, and to pay him a pension of \$40 per month in lieu of any pension to which he may be entitled under existing laws.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "roll" and all of lines 5, 6, 7, and 8, and insert in lieu thereof the following: "subject to the provisions and limitations of the pension laws, the name of Edmund P. Tierney, late hospital steward, United States Army, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Edmund P. Tierney."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WARREN L. EATON.

The next business was the bill (S. 306) granting an increase of pension to Warren L. Eaton.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Warren L. Eaton, late of Company F, Hatch's Battalion Minnesota Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

OLIVER H. CRAM.

The next business was the bill (H. R. 10761) granting an increase of pension to Oliver H. Cram.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oliver H. Cram, late of Company H, One hundred and forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "seventeen."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE O. COLE.

The next business was the bill (H. R. 7190) to increase the pension of George O. Cole.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$30 per month, subject to the provisions and limitations of the pension laws, the name of George O. Cole, late of Company F, Seventh Michigan Volunteer Infantry, the pension hereby granted to be in lieu of that which he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the word "roll," in line 4, and all of lines 5, 6, 7, 8, and 9, and insert in lieu thereof the following: "subject to the provisions and limitations of the pension laws, the name of George O. Cole, late of Company F, Seventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to George O. Cole."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

HELLEN LANG.

The next business was the bill (S. 3467) granting a pension to Hellen Lang.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hellen Lang, widow of James Lang, late of Company C, Eleventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$15 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOSIAH H. BUCKINGHAM.

The next business was the bill (H. R. 10261) granting a pension to Josiah H. Buckingham.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josiah H. Buckingham, late of Company C, Thirteenth Regiment of Missouri Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 6 strike out the word "Thirteenth" and insert in lieu thereof the word "Twenty-fifth."

In line 7 strike out the word "of."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY E. LACEY.

The next business was the bill (H. R. 8218) granting a pension to Mrs. Mary E. Lacey, an army nurse.

The Clerk read the bill, as follows:

Be it enacted, etc., that the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Mary E. Lacey, an army nurse, on the pension roll and pay her a pension at the rate of \$12 per month, subject to the rules and regulations of the Pension Office.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "place," and all of lines 5, 6, and 7, and insert in lieu thereof the following: "on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Lacey, widow of Benjamin H. Roby, late of Company E, Fourth Regiment New Jersey Volunteer Infantry, and late an army nurse in the Medical Department, United States Volunteers, and pay her a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to Mary E. Lacey."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

LEWIS C. BEARD.

The next business was the bill (S. 2483) granting an increase of pension to Lewis C. Beard.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis C. Beard, late of Company D, Sixteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE FRIEND.

The next business was the bill (H. R. 10235) granting an increase of pension to George Friend.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Friend, late of Company K, Fifteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES G. HARTZELL.

The next business was the bill (S. 1441) granting an increase of pension to James G. Hartzell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James G. Hartzell, late of Company C, Sixty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN LONERGAN.

The next business was the bill (H. R. 1965) granting a pension to John Lonergan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Lonergan, late captain Company A, Thirteenth Regiment Vermont Volunteers, and pay him a pension of \$20 per month in lieu of the pension he is now drawing.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry;" in the same line, after the word "pension," insert the words "at the rate."

In line 8 strike out the words "the pension" and insert in lieu thereof the word "that."

In line 9 strike out the word "drawing" and insert in lieu thereof the word "receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY H. LEWIS.

The next business was the bill (S. 1831) granting an increase of pension to Henry H. Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry H. Lewis, late of Renwick's battery, Illinois Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LEWIS H. RIDEN.

The next business was the bill (H. R. 10524) granting an increase of pension to Lewis H. Riden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis H. Riden, late of Company C, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, at the rate of \$24 in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Infantry," insert the words "and pay him a pension."

In line 8, after the word "dollars," insert the words "per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZA ADELAIDE BALL.

The next business was the bill (S. 3418) granting an increase of pension to Eliza Adelaide Ball.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza Adelaide Ball, widow of Edward Ball, late major in the Seventh United States Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY B. ALLEN.

The next business was the bill (H. R. 5648) to grant a pension to Mrs. Mary B. Allen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Mary B. Allen, of Union City, Erie County, Pa., late widow of Alexander S. Wade, private in Company A, Two hundred and eleventh Regiment Pennsylvania Volunteers, and divorced wife of Mr. Americus V. Allen, and pay her the sum of \$12 per month.

The amendments recommended by the committee were read, as follows:

In line 3, after the word "and," insert the word "he."

In line 6 strike out the word "Mrs.;" in the same line and line 7 strike out the words "of Union City, Erie County, Pa."

In line 7 strike out the word "late;" in the same line, after the word "Wade," insert the word "late;" in the same line strike out the words "private in" and insert in lieu thereof the word "of."

In line 9 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry;" in same line strike out the words "divorced wife of Mr. Americus V. Allen, and."

In line 10 strike out the words "the sum" and insert in lieu thereof the words "a pension at the rate."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELISHA F. BARTON.

The next business was the bill (S. 3268) granting an increase of pension to Elisha F. Barton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elisha F. Barton, late of Company E, Fourth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

D. CYRUS HOLDRIDGE.

The next business was the bill (H. R. 4879) granting an increase of pension to D. Cyrus Holdridge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of D. Cyrus Holdridge, late a captain of Company H, Twenty-third Regiment Wisconsin Volunteers, and pay him a pension of \$30 per month in lieu of the pension he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "a."

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 8, before the word "of," insert the words "at the rate." In the same line strike out the words "the pension" and insert in lieu thereof the word "that."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES B. LOGAN.

The next business was the bill (S. 847) granting an increase of pension to James B. Logan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James B. Logan, late captain Company K, Tenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ROLAND BURNETT.

The next business was the bill (H. R. 5117) for the relief of Roland Burnett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Roland Burnett, late a member of Company D, First Arkansas Cavalry, at the rate of \$20 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a member."

In line 7, after the word "First," insert the word "Regiment;" in the same line, before the word "Cavalry," insert the word "Volunteer;" in the same line, after the word "Cavalry," insert the words "and pay him a pension."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SAMUEL W. KIRKENDALL.

The next business was the bill (H. R. 6096) granting a pension to Samuel W. Kirkendall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and instructed to place the name of Samuel W. Kirkendall, late a private in Company G, Seventieth Ohio Cavalry, on the pension roll, and pay him a pension at the rate of \$72 per month in lieu of the pension now received by him.

The amendment recommended by the committee was read, as follows:

Strike out all after the word "and," in line 4, and all of lines 5, 6, 7, and 8, and insert in lieu thereof the following: "directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel W. Kirkendall, late of Company G, Seventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY S. BELDING.

The next business was the bill (S. 1734) granting a pension to Mary S. Belding.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary S. Belding, former widow of David Hartsough, late of Company B, Thirty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES H. RAINEY.

The next business was the bill (H. R. 10750) to restore James H. Rainey to the pension roll.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Rainey, late corporal of Companies E and C, Seventh Regiment Tennessee Cavalry, and pay him a pension at the rate of \$10 per month from the time he was dropped from said roll.

The following amendments, recommended by the committee, were read:

Strike out all after the word "directed," in line 4, and all of lines 5, 6, 7, 8, and 9, and insert in lieu thereof the following: "to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Rainey, late of Companies E and C, Seventh Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to James H. Rainey."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

SARAH M. LESLIE.

The next business was the bill (H. R. 7714) granting a pension to Sarah M. Leslie.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject otherwise to the provisions and limitations of the pension laws, the name of Sarah M. Leslie, widow of Robert Leslie, late a private in Company F, Sixth New York Cavalry, and pay her a pension of ——— dollars a month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out the word "upon" and insert in lieu thereof the word "on."

In line 5 strike out the word "otherwise."

In line 6 strike out the word "a."
 In line 7 strike out the words "private in" and insert in lieu thereof the word "of;" in the same line, after the word "Sixth," insert the word "Regiment;" in the same line, before the word "Cavalry," insert the word "Volunteer."
 In line 8 strike out all after the word "pension" and insert in lieu thereof the words "at the rate of \$8 per month."

Mr. STEELE. Mr. Chairman, I move to amend the last committee amendment by striking out "eight" and inserting "twelve."

The amendment to the amendment was agreed to.
 The committee amendments as amended were agreed to.
 The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

HELEN HARLOW.

The next business was the bill (S. 3293) granting an increase of pension to Helen Harlow.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen Harlow, widow of Alonzo Harlow, late assistant surgeon, One hundred and thirteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

HANNAH G. HUFF.

The next business was the bill (S. 2900) granting a pension to Hanna G. Huff.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah G. Huff, dependent mother of the late John D. Huff, Company D, Seventh Regiment Iowa Infantry Volunteers, and pay her a pension at the rate of \$12 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

CHARLES W. HOBART.

The next business was the bill (S. 2550) granting an increase of pension to Charles W. Hobart.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Hobart, late of Company C, Twenty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

DANIEL DAVIS.

The next business was the bill (H. R. 2392) granting a pension to Daniel Davis.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Daniel Davis, late private in Company M, First Regiment New Hampshire Heavy Artillery, and grant him a pension of \$24 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4, after the word "roll," insert the following: "subject to the provisions and limitations of the pension laws."

In line 5 strike out the words "private in" and insert in lieu thereof the word "of."

In line 6, before the word "Heavy," insert the word "Volunteer;" in the same line strike out the word "grant" and insert in lieu thereof the word "pay;" in the same line, after the word "pension," insert the words "at the rate."

The committee amendments were agreed to.
 The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CORYDEN BEVANS.

The next business was the bill (S. 258) granting an increase of pension to Coryden Bevans.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Coryden Bevans, late of Company F, Fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving: *Provided,* That no deduction shall be made on account of any former payments of pension to the beneficiary under this bill.

The bill was laid aside to be reported to the House with a favorable recommendation.

EDWARD MADDEN.

The next business was the bill (S. 2993) granting an increase of pension to Edward Madden.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward Madden, late private, Company F, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

ELIZABETH SPRINGER.

The next business was the bill (H. R. 10029) granting a pension to Elizabeth Springer, widow of Charles Springer, late of Company G, Ninth Ohio Volunteer Cavalry.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Springer, widow of Charles Springer, late of Company G, Ninth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight;" in the same line, after the word "month," insert the words "such pension, however, to cease upon proof that the soldier is still living."

Amend the title so as to read: "A bill granting a pension to Elizabeth Springer."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MICHAEL LOCHARD.

The next business was the bill (S. 2961) granting an increase of pension to Michael Lochard.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Lochard, late of Company H, Third Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

MICAGER PHILPOT.

The next business was the bill (H. R. 4679) granting a pension to Micager Philpot.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Micager Philpot, late private in Lieutenant Vernon's company (A), First Regiment of Mississippi Mounted Rifles Volunteers, on the pension roll, at the rate — dollars per month, subject to the rules and limitations prescribed by law.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "place" and all of lines 5, 6, 7, and 8, and insert in lieu thereof the following: "on the pension roll, subject to the provisions and limitations of the pension laws, the name of Micager Philpot, late of Company A, First Regiment Mississippi Volunteer Mounted Rifles, and pay him a pension at the rate of \$12 per month."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JONATHAN MEAD.

The next business was the bill (H. R. 10616) granting an increase of pension to Jonathan Mead.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jonathan Mead, late of Company B, Sixteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was laid aside to be reported favorably to the House.

JULIA A. KINKEAD.

The next business was the bill (H. R. 4069) to restore the name of Julia A. Kinkead to the pension roll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to restore the name of Julia A. Kinkead, widow of Sergt. David Kinkead, Company I, Eleventh Regiment Pennsylvania Reserve Volunteers, in the war of the rebellion, to the pension roll, from which she was dropped by reason of her marriage to one William Cunningham, from whom she has been legally divorced, her pension certificate being numbered 195883, payments to be only from the date of the passage of this act, in accordance with the pension laws as they apply to such class of widows' pensions.

The committee amendments were read, and agreed to, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia A. Kinkead, widow of David Kinkead, late of Company I, Eleventh Regiment Pennsylvania Reserve Volunteer Infantry, and pay her a pension at the rate of \$12 per month."
 Amend the title so as to read: "A bill granting a pension to Julia A. Kinkead."

The bill as amended was laid aside to be favorably reported to the House.

WILLIAM TAYLOR.

The next business was the bill (S. 2203) granting an increase of pension to William Taylor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Taylor, late of Com

pany G, Twelfth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was laid aside to be favorably reported to the House.

MRS. LYDIA A. TRYON.

The next business was the bill (H. R. 6903) granting pension to Mrs. Lydia A. Tryon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior shall place on the pension roll, subject to the pension laws of the United States, the name of Lydia A. Tryon, widow of Charles S. Tryon, late private, Company E, Sixty-ninth Regiment Enrolled Missouri Militia, and pay her a pension at the rate of \$15 per month.

The committee amendments were read, and agreed to, as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lydia A. Tryon, widow of Charles S. Tryon, late of Company E, Sixty-ninth Regiment Enrolled Missouri Militia, and pay her a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to Lydia A. Tryon."

The bill as amended was laid aside to be favorably reported to the House.

DAVID CARROLL.

The next business was the bill (S. 1533) granting a pension to David Carroll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Carroll, dependent father of Eugene Carroll, late steamer steward, United States Navy, and pay him a pension at the rate of \$8 per month.

The bill was laid aside to be favorably reported to the House.

REBECCA PAULDING MEADE.

The next business was the bill (S. 1907) granting an increase of pension to Rebecca Paulding Meade.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rebecca Paulding Meade, widow of Rear-Admiral Richard W. Meade, late of the United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The bill was laid aside to be favorably reported to the House.

HORATIO N. CORNELL.

The next business was the bill (S. 2230) granting a pension to Horatio N. Cornell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horatio N. Cornell, late a sailor on the U. S. S. *Michigan*, and pay him a pension at the rate of \$12 per month.

The bill was laid aside to be favorably reported to the House.

ELVIRA HUNTER.

The next business was the bill (S. 1901) granting a pension to Elvira Hunter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elvira Hunter, widow of Nicholas Hunter, late of Company F, First Regiment Arkansas Mounted Gunners in the war known as the Sabine disturbance, and pay her a pension at the rate of \$8 per month.

The bill was laid aside to be favorably reported to the House.

CONSOLACION VICTORIA KIRKLAND.

The next business was the bill (S. 1919) granting an increase of pension to Consolacion Victoria Kirkland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Consolacion Victoria Kirkland, widow of William A. Kirkland, late rear-admiral, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The bill was laid aside to be favorably reported to the House.

SAMUEL S. WHITE.

The next business was the bill (S. 351) granting an increase of pension to Samuel S. White.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel S. White, late of Captain McMurtry's company, Illinois Mounted Volunteers, Black Hawk Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The committee amendment was read, and agreed to, as follows:

In line 8 strike out "thirty" and insert "twelve."

The bill as amended was laid aside to be reported favorably to the House.

ANNIE D. M. WOOD.

The next business was the bill (S. 1975) granting an increase of pension to Annie D. M. Wood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie D. M. Wood, widow of the late Commander Edward Parker Wood, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The committee amendment was read, and agreed to, as follows:

In line 8 strike out "fifty" and insert "forty."

The bill as amended was laid aside to be favorably reported to the House.

JOHN H. HARRISON.

The next business was the bill (S. 3708) granting a pension to John H. Harrison.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Harrison, late of U. S. S. *Walker*, United States Navy, and pay him a pension at the rate of \$12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

LOUISE D. SMITH.

The next business was the bill (S. 3663) granting a pension to Louise D. Smith.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louise D. Smith, widow of William H. Smith, late first lieutenant, Tenth Regiment United States Cavalry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The following amendments, recommended by the Committee on Pensions, were read:

In line 8 strike out "thirty" and insert "twenty-five."

Add after the word "receiving," in line 9, the words "and \$2 per month additional on account of each of the minor children of said William H. Smith until they reach the age of 16 years."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CLARA H. INCH.

The next business was the bill (S. 1593) granting an increase of pension to Clara H. Inch.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clara H. Inch, widow of Philip Inch, late commodore, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The following amendment, recommended by the Committee on Pensions, was read:

In line 8 strike out "fifty" and insert "forty."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOSEPH LONGMIRE.

The next business was the bill (S. 2938) granting an increase of pension to Joseph Longmire.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Longmire, late of Company D, First Regiment Indiana Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The following amendment, recommended by the Committee on Pensions, was read:

Line 8, strike out "twenty-five" and insert in lieu thereof "twenty."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ROBERT GAMBLE, JR.

The next business was the bill (S. 2941) granting an increase of pension to Robert Gamble, jr.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Gamble, jr., late major and aid-de-camp to General Call, Florida Volunteers, Seminole Indian war, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The following amendment, recommended by the Committee on Pensions, was read:

Line 8, strike out "twenty-five" and insert "twenty."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

IDA J. PEIXOTTO.

The next business was the bill (H. R. 10873) to increase the pension of Ida J. Peixotto.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the amount of pension allowed Ida J. Peixotto, widow of Daniel L. M. Peixotto, late a captain in the Third United States Volunteer Infantry, to the sum of \$50 per month.

The following amendments, recommended by the Committee on Pensions, were read:

In lines 4 and 5, after the words "directed to," strike out "increase the amount of pension allowed" and substitute therefor the words "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of."

In line 7 strike out "to the sum of \$50 per month" and substitute therefor the words "and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Ida J. Peixotto."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

EMMA C. STEPHENSON.

The next business was the bill (H. R. 7012) to increase the pension of Emma C. Stephenson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the pension (certificate No. 467638) of Emma C. Stephenson, widow of William Stephenson, late first lieutenant, Eighth United States Cavalry, retired April 23, 1879, deceased April 22, 1898, be increased from \$17 per month, as fixed by said certificate, to \$25 per month.

The following amendments, recommended by the Committee on Pensions, were read:

Change the title so as to read: "A bill granting an increase of pension to Emma C. Stephenson."

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma C. Stephenson, widow of William Stephenson, late first lieutenant Company A, Eighth Regiment United States Cavalry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

SARAH A. ROBINSON.

The next business was the bill (H. R. 10856) to increase the pension of Sarah A. Robinson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah A. Robinson, widow of John K. Robinson, late corporal in Kenley's battalion, District of Columbia and Maryland Volunteers, Mexican war, and pay her a pension at the rate of \$24 per month in lieu of the pension she is now receiving.

The following amendments, recommended by the Committee on Pensions, were read:

Change the title so as to read: "A bill granting an increase of pension to Sarah A. Robinson."

In line 9 strike out "twenty" and substitute therefor "twelve," and in same line strike out "the pension" and insert in lieu thereof the word "that."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARIA H. HIXON.

The next business was the bill (H. R. 9108) granting a pension to Maria H. Hixon.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maria H. Hixon, widow of Daniel Hixon, deceased, late a soldier in the Black Hawk war, and pay her a pension at the rate of \$17 per month.

The following amendments, recommended by the Committee on Pensions, were read:

In line 6 strike out "deceased, late a soldier in the" and substitute therefor the words "late a captain of Michigan Volunteers."

In lines 7 and 8 strike out the word "seventeen" and substitute therefor the word "twelve," so as to fix the rating at \$12 per month.

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MICHAEL DEMPSEY.

The next business was the bill (H. R. 10834) granting an increase of pension to Michael Dempsey.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Dempsey, late of

Company B, Seventh United States Infantry, Seminole Indian war, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The following amendment, recommended by the Committee on Pensions, was read:

Strike out of line 8 the word "twenty" and insert the word "twelve."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN B. WETHERBEE.

The next business was the bill (S. 3139) granting a pension to John B. Wetherbee.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Wetherbee, late cook with Company G, First Regiment Washington Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$40 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ALBERT W. BRUSH.

The next business was the bill (H. R. 5444) to increase the pension of Albert W. Brush.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert W. Brush, of Selma, Cal., late private in Company F, First Regiment Illinois Volunteers (Mexican war), on the pension roll and pay him a pension at the rate of \$40 per month, subject to the provisions and limitations of the pension laws, and in lieu of the pension he now receives.

The following amendments, recommended by the Committee on Pensions, were read:

In line 4, after the words "to place," insert "on the pension roll, subject to the provisions and limitations of the pension laws."

In line 5 strike out "of Selma, Cal."

In line 6 strike out "(Mexican war)" on the pension roll" and insert in lieu thereof the words "war with Mexico."

In line 7 strike out "forty" and substitute therefor the word "twenty."

Strike out all in lines 8 and 9 and insert in lieu thereof the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting a pension to Albert W. Brush."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

NATHAN DISBROW.

The next business was the bill (H. R. 10607) granting an increase of pension to Nathan Disbrow.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nathan Disbrow, dependent father of Edward V. Disbrow, late of Company B, Eighth Illinois Volunteer Cavalry, and grant him a pension of \$25 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 7, after the word "Eighth," insert the word "Regiment."

In line 8 strike out the word "grant" and insert in lieu thereof the word "pay;" in the same line, after the word "pension," insert the words "at the rate;" in the same line strike out the word "twenty-five" and insert in lieu thereof the word "twenty;" in the same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Nathan Disbrow."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARIE L. APGAR.

The next business was the bill (H. R. 8254) to increase the pension of Marie L. Apgar.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place on the pension roll, at the rate of \$20 per month, the name of Marie L. Apgar, widow of Stewart Apgar, late of Company B, First New Jersey Cavalry, now receiving a widow's pension of \$8 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "authorized," and all in lines 5, 6, and 7, and insert in lieu thereof the following: "and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marie L. Apgar, widow of Stewart Apgar, late of Company B, First Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Marie L. Apgar."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

NICHOLAS BRIGGEMAN.

The next business was the bill (H. R. 9555) granting an increase of pension to Nicholas Briggeman.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nicholas Briggeman, Ordnance Corps, United States Army, and pay him a pension of \$72 per month in lieu of the pension he is now receiving under certificate No. 513187.

The amendments set forth in the report were read.

Mr. TALBERT. What is the Calendar number of that bill?

The CHAIRMAN. The Calendar number is 974.

Mr. TALBERT. Let us have the report read.

The report (by Mr. GIBSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9555) granting an increase of pension to Nicholas Briggeman, submit the following report:

This soldier, now 63 years of age, served as a private, corporal, and sergeant in Battery L, Second United States Artillery, from November 29, 1854, to October 24, 1859; reenlisted in same organization, and was discharged October 30, 1864. He is shown by the records of the War Department to have been under treatment for neuralgia for five days in October, 1857, for phlegmon in January, 1858, and for fracture of collar bone in October, 1859.

He is now a pensioner under the act of June 27, 1890, at \$12 per month, on account of total inability to earn a support by manual labor, by reason of fracture of left clavicle, rheumatism, and resulting disease of heart.

His claim under the general law filed April 13, 1889, and based upon cramps and severe pain in stomach, followed by rheumatism and resulting disease of heart, was rejected by the Pension Bureau May 6, 1895, upon the ground that there was no record of the alleged rheumatism, and that the claimant was unable, with the aid of a special examination, to prove its origin in service and line of duty.

There was obtained during the special examination of this case the testimony of several comrades of the beneficiary that he complained of cramps in his feet and legs, walked lame and frequently rubbed his legs with liniment in the service; that after his discharge he frequently complained of pain in his limbs, and used to limp around his shop, and that this condition continued until 1893, since which time he had become helpless.

Certificate of medical examination of June 19, 1889, rated him \$8 for rheumatism, and that of July 26, 1893, \$30 for rheumatism and resulting disease of heart.

Colonel Wilson, United States Army, testified in 1893, when he was in charge of public buildings and grounds in this city, that the beneficiary was a sober, reliable, excellent soldier; earnest, faithful, and brave; and the special examiner who investigated the case in 1896 stated that the beneficiary was then in a helpless condition, requiring aid and attendance, and that he was wholly dependent upon his pension of \$12 per month.

Your committee are satisfied that the rheumatism from which the beneficiary is now suffering had its origin during his military service, and that consequently he is entitled to relief by Congress, and the bill is reported back with the recommendation that it pass after the same shall have been amended as follows:

In line 3, after the word "and," insert the word "he."

In line 6, before the word "Ordnance," insert the words "late of."

In line 7, after the word "pension," insert the words "at the rate."

In line 7 strike out the words "seventy-two" and insert in lieu thereof the word "thirty."

In line 8 strike out the words "the pension" and insert in lieu thereof the word "that;" in the same line strike out the words "under certificate numbered" and all of lines 9 and 10.

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

LUCIUS K. SMALLING.

The next business was the bill (H. R. 10815) to grant a pension to Lucius K. Smalling.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Lucius K. Smalling upon the pension roll at the rate of \$24 a month and to pay him such back pay as may be due him according to law.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "place," and all of lines 5, 6, and 7, and insert in lieu thereof the following: "on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucius K. Smalling, late of Company F, One hundred and twentieth Regiment, New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to Lucius K. Smalling."

The Committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ANNIE B. SHARRARD.

The next business was the bill (H. R. 8735) granting an increase of pension to Annie B. Sharrard.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie B. Sharrard, widow of Samuel R. Sharrard, late captain Company C, Twenty-first Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment set forth in the report was read.

Mr. TALBERT. Mr. Chairman, let us have the report in that case read.

The report (by Mr. GIBSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8735) granting an increase of pension to Annie B. Sharrard, submit the following report:

Samuel R. Sharrard, the officer named in this bill, served as first lieutenant and captain of Company C, Twenty-first Kentucky Volunteers, from December 1, 1861, to April 7, 1864, and, according to the record of the War Department, was wounded at Stone River in the left side and leg. He was pen-

sioned in 1862 for the wound of the thigh at \$5 per month from date of his discharge, at \$10 from August 1, 1868, and at \$15 from March 28, 1889, another disability, viz, rheumatism, alleged in application filed on said date, having been admitted as of service origin.

A claim on account of rupture of left side was rejected March 3, 1896, upon the ground that the same, according to the allegations of the officer, was not incurred in the service of the United States, but originated about 1884.

The officer died January 12, 1893, of cirrhosis of the liver.

Annie B. Sharrard, the beneficiary named in the bill, and now 56 years of age, applied for pension under the act of June 27, 1890, and upon proof that she was married to the officer February 17, 1865; that she was his legal widow at the time of his death, and was without other means of support than her daily labor, said claim was allowed in 1895 at \$8 per month from January 19, 1893, and she is now in receipt of said pension.

The beneficiary filed no claim under the general laws.

There has been filed with your committee medical and lay testimony showing that the beneficiary for the last three years has been confined to her room, and for about nine months to her bed; that she is suffering from physical and nervous asthenia, perpetuated by the hard struggle the family has had to make for the necessities of life, she trying to assist with needle and thread when absolutely unable to do it.

In view of the long service of the officer, the present physical and financial condition of the beneficiary, and the probability that the officer's fatal disease had its origin during his military service, your committee report the bill back with the recommendation that it pass after the same shall have been amended as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WESLEY C. SAWYER.

The next business was the bill (H. R. 7159) to increase the pension of Wesley C. Sawyer.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Wesley C. Sawyer, late captain Company H, Twenty-third Massachusetts Volunteers, and pay him a pension of \$50 a month in lieu of the pension he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4, after the word "roll," insert the following: "subject to the provisions and limitations of the pension laws."

In line 6, before the word "Massachusetts," insert the word "Regiment;" in the same line strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry;" in the same line, after the word "pension," insert the words "at the rate."

In line 7 strike out the word "a" and insert in lieu thereof the word "per;" in the same line strike out the words "the pension" and insert in lieu thereof the word "that."

Amend the title so as to read: "A bill granting an increase of pension to Wesley C. Sawyer."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ALONZO C. REMBAUGH.

The next business was the bill (H. R. 6947) to grant Alonzo C. Rembaugh, late private, Company C, Seventy-first Regiment Pennsylvania Volunteers, a pension.

The clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Alonzo C. Rembaugh, late private in Company C, Seventy-first Regiment Pennsylvania Volunteers, and to pay him a pension of \$— per month from and after the passage of this act.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alonzo C. Rembaugh, late of Company C, Seventy-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Alonzo C. Rembaugh."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARTIN O'CONNOR.

The next business was the bill (H. R. 10618) granting an increase of pension to Martin O'Connor.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martin O'Connor, late of Troop H, Second Regiment United States Cavalry, and sergeant, general service United States Army, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

CLARENCE S. HALL.

The next business was the bill (H. R. 7179) granting a pension to Clarence S. Hall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Clarence S. Hall, son of Andrew L. Hall, deceased, late of Company C, First Battalion of Infantry, Maine Volunteers, and pay him a pension at the rate of \$50 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "son," insert the words "the blind and dependent;" in the same line strike out the word "deceased."

In line 7 strike out the words "of infantry;" in the same line strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. S. A. DAVENPORT having taken the chair as Speaker pro tempore, a message from the Senate by Mr. PLATT, one of its clerks, announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 4771. An act granting an increase of pension to Gilbert F. Colby.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6250) extending the time for proof and payment on lands claimed under the desert-land law of the United States by the members of the Colorado Cooperative Colony in southwestern Colorado.

MOSES H. TABER.

The committee resumed its session.

The next business was the bill (H. R. 315) granting a pension to Moses H. Taber.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll at \$72 per month, subject to the provisions and limitations of the pension laws, the name of Moses H. Taber, late a member of Company B, Second Regiment Rhode Island Cavalry.

The amendments recommended by the Committee were read, as follows:

In line 4 strike out the words "at seventy."

In line 5 strike out the words "\$2 per month."

In line 7 strike out the words "a member;" in the same line, after the words "Rhode Island," insert the word "Volunteer."

In line 8, after the word "Cavalry," insert the following: "and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FIELDING L. RUTHERFORD.

The next business was the bill (S. 539) granting an increase of pension to Fielding L. Rutherford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Fielding L. Rutherford, late of Company G, Fourth Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of \$90 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM C. CHANDLER.

The next business was the bill (H. R. 11145) granting a pension to William C. Chandler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William C. Chandler, late of Company B, Third Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES S. DEVINE.

The next business was the bill (H. R. 6424) for the relief of Charles S. Devine.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$24 per month, the name of Charles S. Devine, late first-class pilot in the Mississippi River Squadron, during the civil war.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the words "at the rate."

In line 6 strike out the words "of \$24 per month."

In line 8 strike out the words "during the civil war" and insert in lieu thereof the words "and pay him a pension at the rate of \$17 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SARAH J. PEDDYCOART.

The next business was the bill (H. R. 8141) granting a pension to Mrs. Sarah J. Peddycoart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, at the rate of \$12 per month, the name of Mrs. Sarah J. Peddycoart, widow of Levi Peddycoart, late of Company F, One hundred and thirteenth Illinois Volunteer Infantry.

The amendment recommended by the committee was read, as follows:

Strike out all after the word "place," in line 4, and all of lines 5, 6, and 7 and insert in lieu thereof the following: "on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah J. Peddycoart, widow of Levi Peddycoart, late of Company F, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWIN M. FARNHAM.

The next business was the bill (S. 3527) granting a pension to Edwin M. Farnham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin M. Farnham, late of Company M, Fiftieth Regiment New York Volunteer Engineers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

KATE B. WARREN.

The next business was the bill (S. 3329) granting an increase of pension to Kate B. Warren.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kate B. Warren, widow of Charles E. Warren, late assistant surgeon Ninety-fifth Regiment United States Colored Troops and surgeon Ninetieth Regiment United States Colored Troops, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SMITH MINER.

The next business was the bill (H. R. 5007) granting a pension to Smith Miner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Smith Miner, late of Battery C, First West Virginia Light Artillery, at the rate of \$24 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "first," insert the word "Regiment;" in the same line, before the word "Light," insert the word "Volunteer."

In line 7, after the word "Artillery," insert the words "and pay him a pension;" in the same line strike out the words "twenty-four" and insert in lieu thereof the word "seventeen;" in the same line, after the word "month," insert the words "in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY YOWELL.

The next business was the bill (S. 3234) granting an increase of pension to Mary Yowell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name Mary Yowell, widow of Samuel Yowell, late of Company H, Forty-third Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILBURN W. TESTERMAN.

The next business was the bill (H. R. 10742) granting a pension to Wilburn W. Testerman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wilburn W. Testerman, late of Company G, Fifteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$12 per month.

Mr. TALBERT. Mr. Chairman, I think we ought to have these reports read. I ask for the reading of the report.

The report (by Mr. CALDERHEAD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10742) granting a pension to Wilburn W. Testerman, submit the following report:

Wilburn W. Testerman, the beneficiary named in this bill, enlisted in Company G, Fifteenth Missouri Cavalry, on November 1, 1863, and was mustered out with his company July 10, 1865. This organization was previously known as the Seventh Provisional Enrolled Missouri Militia. His captain and first

lieutenant are long since dead. J. H. Crabtree, sergeant, and R. A. Mayfield, both members of his company, testify that Testerman was in the hospital with sore eyes in the fall and winter of 1864 and 1865, and that his eyes were weak and in bad condition when he was discharged. The testimony of J. W. Brock, assistant surgeon, is that claimant took measles in Barry County, Mo., and while in the Army; that he treated Testerman; that from the measles claimant took rheumatism and granulated sore eyes; that he treated him; and has known claimant since the war; says he treated Testerman in 1864 or 1865.

S. Truax testifies that he has known claimant since 1888; that his eyesight was bad. The claim was rejected because of no hospital record, and that Dr. Brock could not state exact time of treatment.

Medical examination by two boards, in 1870 and 1897, shows disease of eyes. Testimony further shows this man to be paralyzed by a fall from a wagon; that he is unable to do any labor; that he is penniless and dependent upon charity; and your committee therefore report the bill back with the recommendation that it do pass.

Mr. TALBERT. Mr. Chairman, there is not much merit in this bill, and it ought not to pass. He has got no service of any consequence, and it appears fell off a wagon. I move that this bill be reported to the House with the recommendation that it lie on the table.

Mr. SULLOWAY. I hope that motion will not prevail. Here is a man paralyzed, absolutely unable to do anything, and we only propose to pension him at \$12 a month.

The CHAIRMAN. The question is, Shall the bill be laid on the table?

The motion of Mr. TALBERT was disagreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

HENRY HILL.

The next business was the bill (S. 2651) granting a pension to Henry Hill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Hill, late body servant to Gen. W. T. H. Brooks, United States Volunteers, and pay him a pension at the rate of \$12 per month.

Mr. TALBERT. Mr. Chairman, I ask that the report be read.

The Clerk read the report (by Mr. SULLOWAY), as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2651) granting a pension to Henry Hill, have examined the same and adopt the Senate report thereon, and recommend that the bill do pass.

[Senate report No. 506, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 2651) granting a pension to Henry Hill, have examined the same and report:

This bill proposes to pension Henry Hill, of Tennesseetown, D. C., late body servant to Gen. W. T. H. Brooks, United States Volunteers.

From the evidence filed with this committee the following facts appear: Claimant was not an enlisted man, but was employed in the summer of 1861 as cook for the band of the Third Regiment Vermont Volunteer Infantry. He then became body servant to General Brooks, commanding the "Old Vermont Brigade," with whom he remained until July 1, 1862. On that day, in the battle of Whiteoak Swamp, Virginia, he was severely and dangerously wounded in the face, and, as one witness states, it looked as though half of his head had been shot away. He was sent to Cliffburne Hospital, Washington, D. C., and there treated for his wound.

Reports from the Auditor for the War Department showing claimant's service and from the Acting Chief Record and Pension Office, War Department, showing his hospital treatment, are appended hereto. He made claim for pension under the act of June 27, 1890, but his claim was rejected February 3, 1892, on the ground that he was not an enlisted man.

The claimant is now 63 years of age, and badly disfigured by the wound he received in battle. If he had been an enlisted man there could be no question about his title to pension. His case is an exceptional one, and is not covered by existing law.

In view of all the circumstances of the case your committee believe that claimant should be allowed a pension for his wound.

The bill is therefore reported back favorably, with a recommendation that it pass when amended as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Hill, late body servant to Gen. W. T. H. Brooks, United States Volunteers, and pay him a pension at the rate of \$12 per month."

The bill was laid aside to be reported to the House with a favorable recommendation.

CHARLES CLAUSSEN.

The next business was the bill (H. R. 7600) granting an increase of pension to Charles Claussen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Charles Claussen, late private, Company D, Eighth Infantry, and to pay him a pension at the rate of \$30 per month in lieu of the pension he now receives.

The amendments recommended by the committee were as follows:

In line 4, after the word "roll," insert "subject to the provisions and limitations of the pension laws."

In line 5, after the word "Eighth," insert "United States."

In line 6 strike out "thirty" and insert "twenty."

In line 7 strike out "the pension he now receives" and substitute therefor "that he is now receiving."

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

AUGUSTA ULLMAN.

The next business on the Private Calendar was the bill (H. R. 10743) granting a pension to Augusta Ullman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Augusta Ullman, widow of Charles Ullman, late of Company H, Second United States Dragoons, and pay her a pension at the rate of \$20 per month.

Mr. TALBERT. I call for the reading of the report.

The report (by Mr. BROMWELL) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 10743) granting a pension to Augusta Ullman, beg leave to submit the following report and recommend that said bill do pass with amendment:

The claimant, who resides at No. 438 Bank street, Cincinnati, Ohio, is the widow of Charles Ullman, late private, Company H, Second United States Dragoons, who entered the service October 10, 1864, and was discharged June 3, 1868, on a surgeon's certificate of disability based on scurvy incurred in service and line of duty. The soldier at the time of his death, which occurred May 2, 1893, was a pensioner at the rate of \$10 by reason of disease of mouth and right leg caused by scurvy.

The claimant filed an application for pension June 4, 1893, and submitted in support thereof the testimony of Dr. Peter A. Keck, of Cincinnati, Ohio, which reads as follows:

"That I, the undersigned, treated Mr. Charles Ullman from February 26 to May 3, 1893, on the last-mentioned date of which he died; that the deceased suffered from scurvy (scorbutus) at the time he was in the Army in 1868, and on account of said complaint was discharged from service. The deceased suffered at times from dysentery and fistula in ano, and finally died under my treatment from the above-mentioned cause, dysentery associated with gastritis, which was the superinducing cause of death, and which, in my opinion, can be attributed to an exacerbation of the previously mentioned dysentery, from which he never seemed to have entirely recovered, and which was no doubt a result of the scurvy contracted while in the Army, the scurvy so debilitating his system and rendering him thus more liable to contract any disease of the alimentary canal. The immediate cause of death was exhaustion."

The testimony showed further that the claimant married the soldier December 23, 1862, and that she is now about 63 years of age. The claim was rejected July 8, 1893, on the ground that the soldier's death not having been due to causes incurred in time of war, the widow has no title under existing laws, it being a fact that there is no provision of law for the granting of pensions to widows whose husbands served in time of peace prior to the 4th day of March, 1861, although the husband may have incurred his death cause in the line of his duty during such service.

Accompanying the bill is the testimony of Louis Diemer and others, of Cincinnati, Ohio, setting forth that claimant is suffering from spinal trouble, asthma, and heart disease, and that she is in very poor circumstances, not having any property or income, but has been subsisting since the death of her husband upon \$500 life insurance left by him.

The passage of the bill is respectfully recommended with an amendment striking out "twenty" in line 8 and substituting therefor the word "twelve," so as to fix the rating at \$12 per month.

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ALBERT BROWN.

The next business was the bill (S. 4431) granting an increase of pension to Albert Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert Brown, late of Company D, One hundred and fourteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. TALBERT. Mr. Chairman, what is the Calendar number of this bill?

The CHAIRMAN. One thousand.

Mr. TALBERT. I see that the Clerk has skipped several bills.

The CHAIRMAN. The Chair is informed by the Clerk that there have been no bills skipped over.

The bill was laid aside to be reported to the House with a favorable recommendation.

LEVI S. PARROTT.

The next business was the bill (H. R. 7158) to increase the pension of Levi S. Parrott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Levi S. Parrott, late private, Twenty-ninth Maine Volunteers, and pay him a pension of \$30 a month in lieu of the pension he is now receiving.

With the following committee amendments:

In line 3, after the word "and," insert the word "he."

In line 4, after the word "roll," insert the following: "subject to the provisions and limitations of the pension laws."

In line 5 strike out the word "private" and insert in lieu thereof the words "of Company C." In the same line, before the word "Maine," insert the word "Regiment." In the same line strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 6, after the word "pension," insert the words "at the rate." In the same line strike out the word "thirty" and insert in lieu thereof the word "twenty-four." In the same line, before the word "month," strike out the word "a" and insert in lieu thereof the word "per."

In line 7 strike out the words "the pension" and insert in lieu thereof the word "that."

Amend the title so as to read: "A bill granting an increase of pension to Levi S. Parrott."

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ELEANOR R. SULLIVAN.

The next business on the Private Calendar was the bill (S. 1608) granting a pension to Eleanor R. Sullivan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Eleanor R. Sullivan, former widow of Edwin L. Adams, late of Company F, Fifteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. UNDERWOOD. Mr. Chairman, I ask that the report be read.

The report (by Mr. SULLOWAY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 4421) granting an increase of pension to Albert Brown, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 1104, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 4421) granting an increase of pension to Albert Brown, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Albert Brown, of Eaton, N. Y., late of Company D, One hundred and fourteenth Regiment New York Volunteer Infantry, who served from August 13, 1862, to July 14, 1865.

The military records show that claimant was wounded in hand at Port Hudson, La., June 14, 1863, and was also wounded September 19, 1864. The medical records show him treated in hospital from November 23, 1864, to March 7, 1865, for gunshot wound of both thighs.

He filed and established a claim under the general law, and was originally pensioned for gunshot wound of both thighs at the rate of \$5.33; per month. This pension was increased from time to time, and he is now receiving \$12 per month for gunshot wound of both thighs and gunshot wound of mouth. He is 62 years of age.

Claimant made his last claim for increase May 1, 1896, alleging increase of pensioned disabilities and nervous disease and general debility resulting therefrom, by reason of which he requires the frequent and periodical aid and attendance of another person. This claim was rejected February 14, 1898, on the ground that his pension of \$12 per month was adequate for his wounds, the nervous debility and general debility not being accepted as results.

Claimant has made several claims for increase, contending that his debility is due to lead poisoning or blood poisoning, caused by the presence of the bullet in his wound for several years. These claims have all been rejected. Claimant was wounded in both thighs September 19, 1864, and the ball was removed in August, 1872.

Dr. D. D. Chase, of Mornsville, N. Y., testified November 9, 1894, that he examined claimant in 1869, and he was then suffering from gunshot wound of both thighs, the wound of right thigh being open and discharging offensive pus, and examined him again in 1871, the pus being then more exorbitant and the lameness and debility of claimant more aggravated; that in August, 1872, the ball was extracted and showed pieces of bone, and though the wound permanently healed, claimant did not well recover his health and has always been in poor health, which this witness attributed to the disability accompanying the long continuance of the ball in thigh and its resultant discharges, and he could find no other cause for his increasing debility.

Dr. F. A. Burnham, of West Eaton, N. Y., testified December 15, 1894, that he treated claimant in 1885 for a case of blood poisoning which left one hand almost useless, and that since then he has spasms of increasing severity, and as a result of these spasms is of unsound mind, unable to do any work, and requires the presence of an attendant. Neighbors testify that claimant is totally disabled for manual labor and needs an attendant.

Claimant was last examined March 3, 1897, at Norwich, N. Y., and rated eight-eighths for gunshot wound of both thighs, four-eighths for gunshot wound of mouth, fourteen-eighths for double hernia, ten-eighths for disease of nervous system, and two-eighths for deformed left index finger. The examining surgeons state that claimant is pale, thin, and almost emaciated, and has severe attacks of unconsciousness, with convulsions, which occur without premonition, the cause of which is obscure, but may possibly be due to results of gunshot wound of mouth, and that he is totally disabled for the performance of manual labor.

It is not satisfactorily established that all of claimant's disabilities are the result of his military service. If it could be so established he would be entitled to \$50 per month under the general law. The wounds for which he is pensioned were received in battle, and it is probable that his nervous disease, which seems to be his greatest trouble, is due to those wounds. He is aged and poor, having no means of support except his pension, and your committee are of the opinion, from all the circumstances of the case, that an increase of his pension should be granted as a measure of relief for his declining days. The bill is therefore reported back favorably with a recommendation that it pass.

Mr. UNDERWOOD. Mr. Chairman, I would like to ask the chairman of the Committee on Invalid Pensions if the reason that this woman can not receive a pension under the general law is the fact that she is a remarried widow?

Mr. SULLOWAY. I do not know as I understand the gentleman.

Mr. UNDERWOOD. I ask if the woman who is pensioned would have had a pensionable status if she had not remarried?

Mr. SULLOWAY. If she was a widow, I suppose she would.

Mr. STEELE. The report states that she was remarried, and on that ground could not get a pension. I do not think, from the reading of the report, that she is entitled to a pension.

Mr. UNDERWOOD. I want to ask the chairman of the committee if the general law does not prohibit the granting of a pension to the widow of a soldier when she remarries?

Mr. SULLOWAY. The pension stops, but there is no prohibition about it.

Mr. UNDERWOOD. If she had been granted this pension before she married a second time, her pension would have stopped, and for that reason she could not get a pension to-day under the general law; but the committee now propose to single her out—

Mr. SULLOWAY. No; it has been the practice ever since there have been widows. All these years, whenever they were in necessitous circumstances, when their condition was such that they were needy, Congress has given them a pension.

Mr. UNDERWOOD. I know Congress has granted pensions in some cases, but it is in violation of the general law, and yet you take out this widow—

Mr. SULLOWAY. It is not in violation of any law.

Mr. UNDERWOOD. It is in contravention to the general law

as it exists to-day. Now, I wish to say that I never have interfered with pension legislation. I believe meritorious old soldiers ought to be pensioned. I believe in meritorious cases. I think we have got broad and liberal pension laws, and cases of this kind ought not to be selected. In most of these cases where they apply for a pension they are in needy circumstances. If they were not, they would not come to Congress. There are thousands of these cases. Now, if the people of this country and the Congress of the United States desire that remarried widows of soldiers should have a pension, the Pension Committee ought to bring in a general bill and give every one a pension; but you ought not to come here and pick out certain favored cases because they have political influence, or have friends who have political influence, and put them on the pension roll to the injury of the really desirable applicants. And I really believe that such action as this on the part of the House brings into disrepute the pension laws of the United States Government more than any other action that we could take. I know it is useless to get up here and protest; I know that the bill is going to be voted through; but I believe that these are cases which ought to be stopped—

Mr. SULLOWAY. Will the gentleman support a bill pensioning widows who were wives of Union soldiers during the war who took care of the children at home and provided for them; who had more anxiety and mental suffering than the soldiers in the field? Will you support such a bill? If you will there is one on the Calendar for you.

Mr. UNDERWOOD. Wait a moment; the gentleman need not get nervous about this question. My mind is made up very clearly as to what I would do in these cases. In cases where widows were at home taking care of the children of the soldier during the time of the war I would vote for such a bill—

Mr. SULLOWAY. This is such a case.

Mr. UNDERWOOD. Will you gentlemen wait a moment. I would vote for that kind of a bill provided the widow had not surrendered her allegiance to the soldier husband by taking another husband.

Mr. STEELE. I wish to state that where the widow is in necessitous circumstances I will vote for a bill of this kind; but I am not in favor of picking out a widow here and there and giving her a pension to the exclusion of others who may be equally deserving. I do not think this bill has presented any phase that would not exist in the case of almost any soldier's widow who has remarried.

Mr. SULLOWAY. She is totally destitute.

Mr. STEELE. Why not bring in your general law and let it apply in all these cases instead of picking out one widow here and another there? [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is, Shall the bill be laid aside to be reported with a favorable recommendation? [After taking the vote.] The ayes appear to have it.

Mr. TALBERT. I call for a division.

The question being taken, there were—ayes 42, noes 7.

Mr. TALBERT. I make the point that there is no quorum present.

The CHAIRMAN (after counting the committee). There are 128 members present—more than a quorum. The ayes have it; and the bill is laid aside to be reported favorably.

ROBERT G. DYHRENFURTH.

Mr. SULLOWAY. On behalf of the committee, I ask unanimous consent to take up Senate bill 4716 (Calendar No. 1115), granting an increase of pension to Robert G. Dyhrenfurth. This is a case in which I have no personal interest. I never saw the man concerned; but I understand he is dying in a hospital here of cancer and is in necessitous circumstances.

Mr. MADDOX. Reserving the right to object, I wish to say that if the gentleman will include in his request Calendar No. 1063 I will not object. This is the only bill I have on this Calendar, or have had, with one exception, for eight years.

Mr. STEELE. I hope the gentleman will not undertake to "hold up" the House in that way. When we get through the bill for which the gentleman from New Hampshire has made his request, I think there will be no objection to taking up the bill of the gentleman from Georgia.

Mr. MADDOX. I shall not object.

There being no objection, the House proceeded to the consideration of the bill (S. 4716) granting an increase of pension to Robert G. Dyhrenfurth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert G. Dyhrenfurth, late captain Company L, Seventeenth Regiment Illinois Volunteer Cavalry, and brevet major, United States Volunteers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. TALBERT. I should like to hear the report read.

The report (by Mr. SULLOWAY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 4716) granting an increase of pension to Robert G. Dyhrenfurth, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 1355, Fifty-sixth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 4716) granting an increase of pension to Robert G. Dyhrenfurth, have examined the same and report:

This bill proposes to increase from \$12 to \$30 per month the pension of Robert G. Dyhrenfurth, of Washington, D. C., late captain Company L, Seventeenth Regiment Illinois Volunteer Cavalry, and brevet major, United States Volunteers.

Robert G. Dyhrenfurth served as a private in Company B, First Illinois Mounted Volunteers, from April 18, 1861, to November 21, 1861, when he was honorably discharged to enable him to accept promotion. He was enrolled as first lieutenant Company D, Thirteenth Illinois Cavalry, November 18, 1861; promoted captain October 4, 1862, and was honorably discharged May 22, 1863. He was enrolled as first lieutenant Company L, Seventeenth Illinois Cavalry, September 13, 1863; promoted captain December 11, 1864, and was honorably discharged December 20, 1865.

The medical records show him much prostrated November 15, 1862, in consequence of a severe attack of remittent congestive fever, and in spite of remedies constant relapses have ever since taken place.

General Dyhrenfurth is 55 years of age, and is receiving a pension under the act of June 27, 1890, at the rate of \$12 per month, granted him on account of disease of digestive organs and resulting disease of rectum and varicose veins of left leg, causing inability to earn a support by manual labor. A recent examination in his case shows that he is suffering from a malignant disease of the digestive system, and is totally and permanently incapacitated for the performance of manual labor.

General Dyhrenfurth is now seriously ill and in hospital, with no hope of permanent recovery. His service was faithful and honorable and extended over a period of upward of four years. He responded to the first call for troops, and entered the service a private and was discharged a captain and brevet major. He is and has been for some time past commander in chief of the Union Veterans' Union.

In view of the long and faithful service of this soldier and his present serious condition, your committee are of the opinion that an increase of his pension is proper.

The passage of the bill is therefore recommended.

The bill was laid aside to be reported favorably to the House.

WILLIAM T. LOWRY.

Mr. MADDOX. Mr. Chairman, I ask unanimous consent to take up Calendar No. 1062, a bill to increase the pension of W. T. Lowry.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to take up Calendar No. 1062. Is there objection?

Mr. SULLOWAY. I hope that will be granted.

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to increase the pension of William T. Lowry, a soldier in the Mexican war, now drawing pension at \$12 per month under pension certificate No. 8775, to \$30 per month.

The following amendments, recommended by the Committee on Pensions, were read:

Change the title so as to read: "A bill granting an increase of pension to William T. Lowry."

Strike out all after the enacting clause and substitute the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William T. Lowry, late first sergeant Company D, Battalion Georgia Mounted Volunteers, war with Mexico, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CORNELIUS W. ROBERTS.

Mr. CLARK of Missouri. Mr. Chairman, I ask unanimous consent to call up Calendar No. 1116, which is the bill (H. R. 1288) granting a pension to Cornelius W. Roberts.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri to call up Calendar No. 1116?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Cornelius W. Roberts, late a private in the Pike County (Mo.) Home Guards, and to to pay to him a pension of \$20 per month.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

In line 4 strike out all after the word "place" and all of lines 5, 6, and 7, and insert in lieu thereof the following: "on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cornelius W. Roberts, late of Company B, Pike County (Mo.) Home Guards, and pay him a pension at the rate of \$12 per month."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JEREMIAH EVERLY.

Mr. PEARRE. Mr. Chairman, I ask unanimous consent to take up for consideration Calendar No. 1016, which is the bill (H. R. 5944) granting a pension to Jeremiah Everly.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland to take up Calendar No. 1016?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Jeremiah Everly, late of Company A, First Regiment Potomac Home Brigade Maryland Cavalry, at the rate of \$30 per month, subject to the conditions and regulations of the pension laws.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4, after the word "roll," insert the following: "subject to the provisions and limitations of the pension laws."

In line 6, before the word "Cavalry," insert the word "Volunteer;" in the same line strike out all after the word "Cavalry," and all of lines 7 and 8, and insert in lieu thereof the following: "and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to Jeremiah Everly."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

FRANCES HORTON FORCE.

Mr. SHATTUC. Mr. Chairman, I ask unanimous consent that Senate bill 4077 be taken up for present consideration.

The CHAIRMAN. Unanimous consent is asked by the gentleman from Ohio that the bill S. 4077 be now considered. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances Horton Force, widow of Manning Force, late colonel Twentieth Regiment Ohio Volunteer Infantry, and brigadier-general, United States Volunteers, and pay her a pension at the rate of \$50 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY CLARK.

Mr. SHOWALTER. Mr. Chairman, I ask unanimous consent to take up the bill (H. R. 4130) granting a pension to Mrs. Mary Clark, widow of Calvin B. Clark, late of the One hundred and fifth Pennsylvania Volunteers.

Mr. STEELE. I call for the regular order.

The CHAIRMAN. The regular order is demanded.

Mr. SULLOWAY. I move that the committee do now rise.

Mr. CALDWELL. I trust the gentleman from New Hampshire will not persist in that motion. The next bill on the Calendar is to pension a Mexican war veteran. The gentleman certainly ought to consent to the consideration of that bill.

The CHAIRMAN. Does the Chair understand the gentleman from New Hampshire to withdraw his motion?

Mr. SULLOWAY. I do not.

The CHAIRMAN. The regular order is the motion that the committee do now rise.

Mr. CALDWELL. I trust that the gentleman from New Hampshire, in the interest of the consideration of this bill for this old Mexican veteran, will allow the next Calendar number to come up in the regular order.

Several MEMBERS. Regular order!

The CHAIRMAN. The regular order is demanded. The question is on the motion that the committee do now arise.

The motion was rejected.

JOHN W. HARTLEY.

The next business was the bill (H. R. 3767) granting a pension to John W. Hartley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby directed to place upon the pension roll the name of John W. Hartley, late private in the Second Regiment of Illinois Volunteers in the war with Mexico, and lieutenant Company H, Fourteenth Regiment Illinois Volunteers, in the war of the rebellion, and pay him \$50 per month in lieu of any pension heretofore allowed him.

The amendments recommended by the Committee on Pensions, set forth in the report, were read.

Mr. STEELE. Let us have the report on that bill read.

The CHAIRMAN. The gentleman from Indiana asks for the reading of the report.

The report (by Mr. MIERS of Indiana) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3767) granting a pension to John W. Hartley, submit the following report:

The beneficiary named in this bill, now 73 years of age, served in the Mexican war as a drummer in Company A, Second Illinois Infantry, from June 21, 1847, to July 21, 1848, and in the war of the rebellion as a lieutenant of Company H, Fourteenth Illinois Volunteers, from May 25, 1861, to May 21, 1862, when he was honorably mustered out on tender of resignation.

He was pensioned in 1887 under the Mexican war survivors act at \$8 per month from January 29, 1887, upon proof that he served for sixty days in the war with Mexico, was honorably discharged, and was disabled by reason of a double hernia, which hernia he alleged in his claim for such Mexican war service pension was received near Corinth, Miss., in May, 1862, while lifting a log building rifle pits, and while a member of the Fourteenth Illinois Volunteers.

He never applied for pension under the general law on account of any disability contracted during the war of the rebellion, but is now a pensioner under the act of June 27, 1890, at \$12 per month, on account of total inability to earn a support by manual labor by reason of double hernia.

This allowance was based upon a certificate of medical examination of June 10, 1891, which rated him \$12 for double rupture; and the board of surgeons stated in their certificate that he could not wear a truss on account of the pain it gave him; that he could not do much, if any, manual labor; that it was difficult to evacuate the bowels, which go often a week, but that no other disability existed.

There has been filed with your committee the testimony of Dr. J. S. King, of Decatur, Ill., to the effect that he had known the beneficiary since 1864; that he had been his family physician since 1874; that he examined him on

February 28, 1900, and found him a total wreck from defective hearing, partial paralysis of lower limbs, and hernia; that he is unable to take care of himself and requires the greatest care to attend to and move him, and that, while at all times unable to do sufficient work to earn a full living, he had during the past five years or more been totally disabled.

There has also been filed with your committee a statement of the Hon. Mr. CALDWELL, a member of this House, to the effect that he is well acquainted with the beneficiary, and that he knows that he is entirely helpless and has no income, being without any means whatever.

In view of the age of the beneficiary, his helpless condition, his destitution, and the fact that he rendered service in both the Mexican and civil wars, your committee believe that some relief by Congress is warranted under the circumstances; and the bill is reported back with the recommendation that it pass after the same shall have been amended as follows:

In line 3 strike out all after the word "Interior" and all of lines 4, 5, 6, 7, 8, and 9, and insert in lieu thereof the following: "be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Hartley, late first lieutenant Company H, Fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to John W. Hartley."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

Mr. BRUNDIDGE. Mr. Chairman, I ask unanimous consent for the present consideration of the bill H. R. 4633.

The CHAIRMAN. The gentlemen from Arkansas asks unanimous consent for the present consideration of the bill H. R. 4633. Is there objection?

Several MEMBERS. Regular order!

The CHAIRMAN. The regular order is called for.

Mr. SULLOWAY. I move that the committee do now rise and report the bills to the House.

The motion was agreed to.

The committee accordingly rose; and Mr. HEPBURN having taken the chair as Speaker pro tempore, Mr. CAPRON, Chairman of the Committee of the Whole on the Private Calendar, reported that the committee, having had under consideration bills of the following titles, had directed him to report the same without amendment, and recommended that the same do pass:

H. R. 11010. A bill granting an increase of pension to James H. Eastman;

H. R. 10912. A bill granting an increase of pension to John Whitmore;

H. R. 10235. A bill granting an increase of pension to George Friend;

H. R. 10616. A bill granting an increase of pension to Jonathan Mead;

H. R. 11145. A bill granting a pension to William C. Chandler;

H. R. 10742. A bill granting a pension to Wilburn W. Testerman; and

H. R. 10618. A bill granting an increase of pension to Martin O'Connor.

Mr. CAPRON also reported that the Committee of the Whole House, having had under consideration bills of the following titles, had directed him to report the same with amendments, and that as amended said bills do pass:

H. R. 9839. A bill granting an increase of pension to Emily H. Wood;

H. R. 2362. A bill granting a pension to B. H. Brasted;

H. R. 9783. A bill granting an increase of pension to Benjamin F. Dennis;

H. R. 10758. A bill granting a pension to Sarah B. Wilson, of Macon, Ga.;

H. R. 8689. A bill granting an increase of pension to Isaac B. Hoyt;

H. R. 8540. A bill granting a pension to Lydia J. De Silva;

H. R. 9378. A bill granting a pension to Irving Johnson;

H. R. 9043. A bill to increase the pension of David S. Snyder;

H. R. 6776. A bill granting a pension to Annie Chamberlain;

H. R. 5894. A bill to increase the pension of Nathaniel Townsend;

H. R. 10872. A bill granting a pension to Caroline Buehler;

H. R. 269. A bill to place the name of Mrs. Rosa G. Thompson, formerly Mrs. Rosa G. Edwards, upon the pension roll;

H. R. 9176. A bill granting a pension to Emily Haines Harrison;

H. R. 5644. A bill to increase the pension of Charles Alfred De Arnaud;

H. R. 5120. A bill granting a pension to John S. Coggeshall;

H. R. 437. A bill granting a pension to Mary E. Reynolds;

H. R. 2398. A bill granting a pension to Andrew Jackson;

H. R. 1204. A bill to pension Martha McSwain, widow of William McSwain;

H. R. 7621. A bill granting a pension to William H. Chapman;

H. R. 4650. A bill granting a pension to Mrs. Sarah Parrish;

H. R. 3089. A bill to grant a pension to Kate M. Pond;

H. R. 10749. A bill granting a pension to Henry L. White;

H. R. 3861. A bill for the relief of Jesse Millard, late corporal, Company G, Third Tennessee Cavalry;

H. R. 7329. A bill to increase the pension of Lewis Swenson;

H. R. 2849. A bill granting a pension to Mary A. Hanson, of Jackson County, Ill.;

H. R. 7553. A bill granting a pension to Fannie M. O'Linn, of Chadron, in the State of Nebraska;

H. R. 1990. A bill for the relief of Julia A. Heath;

H. R. 6854. A bill to increase the pension of Frederick W. Kellogg;

H. R. 9308. A bill granting an increase of pension to Joseph M. Shaw;

H. R. 10062. A bill granting an increase of pension to Harriet Crottsenburg, widow of Nick Crottsenburg, late second lieutenant of Company F, Thirteenth Regiment Wisconsin Volunteer Infantry;

H. R. 10381. A bill granting an increase of pension to G. T. Ridlon;

H. R. 4800. A bill granting a pension to Joseph Crawford;

H. R. 10847. A bill granting a pension to Betsey A. Summers;

H. R. 8207. A bill to grant a pension to Joseph Quinn;

H. R. 7327. A bill granting an increase of pension to Charles S. Raine;

H. R. 9719. A bill granting a pension to Amos W. Felker;

H. R. 7328. A bill granting an increase of pension to John Nicklin;

H. R. 10778. A bill granting an increase of pension to Martin V. B. Winkler;

H. R. 9502. A bill granting a pension to Phoebe A. La Mott;

H. R. 1803. A bill granting a pension to Julia E. G. Lewis;

H. R. 5150. A bill granting a pension to William Love;

H. R. 5208. A bill granting a pension to Mary E. Dickey;

H. R. 1734. A bill to grant a pension to Mary A. Whitmore;

H. R. 6407. A bill to increase the pensions of Michael S. Brockett, George W. Williams, and Isaac N. Willhite;

H. R. 9010. A bill granting an increase of pension to Charles A. Westfield, of Wilkesbarre, Pa.;

H. R. 2752. A bill granting a pension to Edmund P. Tierney;

H. R. 10761. A bill granting an increase of pension to Oliver H. Cram;

H. R. 7190. A bill to increase the pension of George O. Cole;

H. R. 10261. A bill granting a pension to Josiah H. Buckingham;

H. R. 8218. A bill granting a pension to Mrs. Mary E. Lacey, an Army nurse;

H. R. 1965. A bill granting a pension to John Lonergan;

H. R. 10524. A bill granting an increase of pension to Lewis H. Riden;

H. R. 5648. A bill to grant a pension to Mrs. Mary B. Allen;

H. R. 5117. A bill for the relief of Roland Burnett;

H. R. 4879. A bill granting an increase of pension to D. Cyrus Holdridge;

H. R. 6096. A bill granting a pension to Samuel W. Kirkendall;

H. R. 10750. A bill to restore James H. Raney to the pension roll;

H. R. 7714. A bill granting a pension to Sarah M. Leslie;

H. R. 2392. A bill granting a pension to Daniel Davis;

H. R. 10029. A bill granting a pension to Elizabeth Springer, widow of Charles Springer, late of Company G, Ninth Ohio Vol.

unteer Cavalry;

H. R. 4679. A bill granting a pension to Micager Philpot;

H. R. 4069. A bill to restore the name of Julia A. Kinkead to the pension roll;

H. R. 6902. A bill granting pension to Mrs. Lydia A. Tryon;

H. R. 10873. A bill to increase the pension of Ida J. Peixotto;

H. R. 7012. A bill to increase the pension of Emma C. Stephenson;

H. R. 10856. A bill to increase the pension of Sarah A. Robinson;

H. R. 9108. A bill granting a pension to Maria H. Hixon;

H. R. 10834. A bill granting an increase of pension to Michael Dempsey;

H. R. 5444. A bill to increase the pension of Albert W. Brush;

H. R. 10607. A bill granting an increase of pension to Nathan Disbrow;

H. R. 8254. A bill to increase the pension of Marie L. Apgar;

H. R. 9555. A bill granting an increase of pension to Nicholas Briggeman;

H. R. 10815. A bill to grant a pension to Lucius K. Smalling;

H. R. 8735. A bill granting an increase of pension to Annie B. Sharrard;

H. R. 7159. A bill to increase the pension of Wesley C. Sawyer;

H. R. 6947. A bill to grant Alonzo C. Rembaugh, late private, Company C, Seventy-first Regiment Pennsylvania Volunteers, a pension;

H. R. 7179. A bill granting a pension to Clarence S. Hall;

H. R. 315. A bill granting a pension to Moses H. Taber;

H. R. 6424. A bill for the relief of Charles S. Devine;

H. R. 8141. A bill granting a pension to Mrs. Sarah J. Peddy-coart;

H. R. 5007. A bill granting a pension to Smith Miner;

H. R. 7600. A bill granting an increase of pension to Charles Claussen;

H. R. 10743. A bill granting a pension to Augusta Ullman;

H. R. 7158. A bill to increase the pension of Levi S. Parrott;

H. R. 3767. A bill granting a pension to John W. Hartley;

H. R. 5944. A bill granting a pension to Jeremiah Everly;
H. R. 504. A bill to increase the pension of W. T. Lowry; and
H. R. 1288. A bill granting a pension to Cornelius W. Roberts.
Mr. CAPRON also reported that the committee, having had under consideration bills of the following titles, had directed him to report the same without amendment, with the recommendation that said bills do pass:

S. 28. An act to remove the charge of desertion from the military record of James H. Waters;

S. 4215. An act granting a pension to Belle Bean;

S. 4037. An act granting an increase of pension to Ellen M. Mansur;

S. 2020. An act granting a pension to Sarah E. Fortier;

S. 4040. An act granting an increase of pension to Mary C. Gage;

S. 3337. An act granting an increase of pension to Buren R. Sherman;

S. 3047. An act granting an increase of pension to William Mullevy;

S. 1776. An act granting a pension to John Carr;

S. 3314. An act granting a pension to Mary I. Bradbury;

S. 1552. An act granting an increase of pension to Helen L. Dent;

S. 2296. An act granting an increase of pension to John J. Sears;

S. 3277. An act granting an increase of pension to Solon Cooper;

S. 2101. An act granting an increase of pension to George E. Scott;

S. 3900. An act granting a pension to Sarah Clark;

S. 78. An act granting a pension to Samuel W. Childs;

S. 2795. An act granting an increase of pension to Christina Noll;

S. 2451. An act granting a pension to Jennie P. Stover;

S. 1569. An act granting a pension to Phebe E. C. Priestly;

S. 4006. An act granting an increase of pension to Edward M. Tucker;

S. 2003. An act granting a pension to Flavel H. Van Eaton;

S. 2539. An act granting an increase of pension to Milton H. Daniels;

S. 3294. An act granting a pension to Louesa Moulton;

S. 1758. An act granting an increase of pension to Farnham J. Eastman;

S. 169. An act granting a pension to George E. Tuttle;

S. 3289. An act granting a pension to Isabella Underwood;

S. 163. An act granting a pension to Dwight D. Wilber;

S. 3899. An act granting a pension to James Cook;

S. 2977. An act granting an increase of pension to Jacob P. Fletcher;

S. 3788. An act granting an increase of pension to James Williams;

S. 103. An act granting an increase of pension to Charles Critzer;

S. 3183. An act granting a pension to George W. Newell;

S. 3300. An act granting an increase of pension to Luke H. Monson;

S. 1460. An act granting a pension to Charles A. Hutchings;

S. 5038. An act granting an increase of pension to Harriet E. Meylert;

S. 1274. An act granting an increase of pension to Augustus C. Pyle;

S. 3082. An act granting a pension to Elizabeth F. Wolfley;

S. 1548. An act granting an increase of pension to James Byrne;

S. 1264. An act granting an increase of pension to Henry H. Blockson;

S. 716. An act granting a pension to Susan Buck;

S. 4007. An act granting an increase of pension to Bernard Dunn;

S. 61. An act granting a pension to George Bunce;

S. 825. An act granting an increase of pension to Joseph B. Coons;

S. 1551. An act granting a pension to John G. B. Masters;

S. 3154. An act granting an increase of pension to Kate Cadwell;

S. 3634. An act granting a pension to Mary T. Hunter;

S. 3549. An act granting an increase of pension to William A. Keyes;

S. 1822. An act granting an increase of pension to Isaac M. Shup;

S. 314. An act granting a pension to Rosa L. Couch;

S. 756. An act granting a pension to Lydia F. Wiley;

S. 2215. An act granting an increase of pension to Robert J. Koonce;

S. 1553. An act granting an increase of pension to Samantha Barnes;

S. 2962. An act granting an increase of pension to William Blades;

S. 1207. An act granting an increase of pension to Levi Chandler;

S. 2276. An act granting an increase of pension to George W. Ragland;

S. 2142. An act for the relief of Anna Whitney Tarbell;

S. 306. An act granting an increase of pension to Warren L. Eaton;

S. 3467. An act granting a pension to Helen Lang;

S. 2483. An act granting an increase of pension to Lewis C. Beard;

S. 1441. An act granting an increase of pension to James G. Hartzell;

S. 1831. An act granting an increase of pension to Henry H. Lewis;

S. 3418. An act granting an increase of pension to Eliza Adelaide Ball;

S. 3268. An act granting an increase of pension to Elisha F. Barton;

S. 847. An act granting an increase of pension to James B. Logan;

S. 1734. An act granting a pension to Mary S. Belding;

S. 3293. An act granting an increase of pension to Helen Harlow;

S. 2900. An act granting a pension to Hannah G. Huff;

S. 2550. An act granting an increase of pension to Charles W. Hobart;

S. 258. An act granting an increase of pension to Coryden Bevans;

S. 2993. An act granting an increase of pension to Edward Madden;

S. 2961. An act granting an increase of pension to Michael Lochard;

S. 2203. An act granting an increase of pension to William Taylor;

S. 1533. An act granting a pension to David Carroll;

S. 1907. An act granting an increase of pension to Rebecca Paulding Meade;

S. 2280. An act granting a pension to Horatio N. Cornell;

S. 1901. An act granting a pension to Elvira Hunter;

S. 1919. An act granting an increase of pension to Consolacion Victoria Kirkland;

S. 3708. An act granting a pension to John H. Harrison;

S. 410. An act granting an increase of pension to Harriet V. Gridley;

S. 539. An act granting an increase of pension to Fielding L. Rutherford;

S. 3527. An act granting a pension to Edwin M. Farnham;

S. 3329. An act granting an increase of pension to Kate B. Warren;

S. 3234. An act granting an increase of pension to Mary Yowell;

S. 2651. An act granting a pension to Henry Hill;

S. 4421. An act granting an increase of pension to Albert Brown;

S. 1608. An act granting a pension to Eleanor R. Sullivan;

S. 4077. An act granting a pension to Francis Horton Force;

S. 2286. An act granting an increase of pension to John W. Craig; and

S. 4716. An act granting an increase of pension to Robert G. Dyhrenfurth.

Mr. CAPRON also reported that the Committee of the Whole House, having had under consideration bills of the following titles, had directed him to report the same without amendment, and that said bills do pass:

S. 351. An act granting an increase of pension to Samuel S. White;

S. 1975. An act granting an increase of pension to Annie D. M. Wood;

S. 3662. An act granting a pension to Louisa D. Smith;

S. 1593. An act granting an increase of pension to Clara H. Inch;

S. 2938. An act granting an increase of pension to Joseph Longmire;

S. 2941. An act granting an increase of pension to Robert Gamble, jr.; and

S. 3139. An act granting a pension to John B. Wetherbee.

Mr. CAPRON also reported that the Committee of the Whole House, having had under consideration the bill (H. R. 471) granting an increase of pension to John W. Craig, had directed him to report the same with the recommendation that it lie on the table.

ORDER OF BUSINESS.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent that the previous question be considered as ordered upon the bills and amendments to their passage. I hope there will be no objection to that.

The SPEAKER pro tempore. The gentleman from New Hampshire asks unanimous consent that the previous question be considered on the several bills and amendments to their passage. Is there objection?

Mr. TALBERT. I object.

The SPEAKER pro tempore. Objection is made. The Clerk will report the first bill.

Mr. WARNER. Mr. Speaker, I ask unanimous consent that at 5 o'clock the House take a recess until 8 o'clock this evening, the evening session to be devoted to the further consideration of the Alaska bill (S. 3419). The gentleman from New York [Mr. PAYNE] wishes to state a condition.

Mr. PAYNE. I would suggest to the gentleman that he make it after these bills have been disposed of; that then the House take a recess.

Mr. WARNER. That then the House take a recess until 8 o'clock.

Mr. PAYNE. And I will suggest to him that the vote on the amendment which was pending on the Alaska bill this morning be postponed until to-morrow at 12 o'clock.

Mr. WARNER. I will consent to that.

Mr. BARTLETT. Is that the "contempt" clause?

Mr. PAYNE. That is to strike out the chapter in regard to evidence. I think the vote on that should be postponed until to-morrow at 12 o'clock.

Mr. BARTLETT. I will ask the gentleman if he proposes to take any vote on the section passed over this morning relating to contempt?

Mr. WARNER. No; I will not ask for a vote on that to-night. That may go over until to-morrow, when there is a full House.

Mr. PAYNE. Do I understand the gentleman to agree that no vote on that pending amendment be taken until to-morrow after 12 o'clock?

Mr. DALZELL. Until the House resolves itself into the Committee of the Whole to-morrow?

Mr. PAYNE. After 12 o'clock. I do not want to make it at 10 o'clock.

Mr. WARNER. Will that be satisfactory to the gentleman from New Hampshire, to take a recess at 5 o'clock?

Mr. SULLOWAY. As soon as we can get these bills through.

Mr. WARNER. Then I will change the request so that it be that when the House reaches the time when it would otherwise adjourn that we take a recess until 8 o'clock this evening, and that the question pending before the committee on the Alaskan bill be not taken up and voted on until the House goes into Committee of the Whole to-morrow.

Mr. PAYNE. After 12 o'clock.

Mr. WARNER. After 12.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. WARNER] asks unanimous consent that the House at a later hour take a recess until 8 o'clock this evening.

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the first bill.

COURTS FOR CENTRAL DIVISION OF SOUTHERN DISTRICT OF IOWA.

Mr. RAY of New York. Mr. Speaker, I have in my hand, if the gentleman from New Hampshire yields for that purpose, a bill that is on the Speaker's table that has passed the House and has passed the Senate with a slight amendment. I desire to call it up.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to concur in Senate amendment to a House bill.

Mr. DE ARMOND. What is the bill, and what is the amendment?

The Clerk read as follows:

A bill (H. R. 2537) to create the central division of the southern district of Iowa for judicial purposes, and to fix the time and place for holding court therein.

The amendment of the Senate was read.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. RAY of New York. I move to concur in the Senate amendment.

The motion was agreed to.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 4908. An act to provide for the investigation of the historical archives and public records of the several States and Territories and of the United States with a view to their preservation by publication—to the Committee on the Library.

JAMES H. EASTMAN.

The first bill reported from the Committee of the Whole was the bill (H. R. 11010) granting a pension to James H. Eastman.

The SPEAKER pro tempore. The question is on ordering the bill to be engrossed for a third reading.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TALBERT. I demand a division, Mr. Speaker.

The House divided; and there were—ayes 59, noes 1.

Mr. TALBERT. I make the point, Mr. Speaker, that there is no quorum present.

The SPEAKER pro tempore. The gentleman from South Carolina makes the point that a quorum is not present. The Chair will count. [After counting.] One hundred and eighteen gentlemen present—not a quorum.

Mr. WARNER. Mr. Speaker, I move that the House adjourn until 8 o'clock this evening.

The SPEAKER pro tempore. That motion would not be in order without a quorum. The Clerk will call the roll. The doors will be closed, and as many as are in favor of the engrossment and third reading of the bill will, when their names are called,

vote "yea;" those opposed, "nay;" and those present and not voting will answer "present."

Mr. BARTLETT. Mr. Speaker, I would like to know what the question is we are called to vote upon.

The SPEAKER pro tempore. The engrossment and third reading of the bill.

Mr. BARTLETT. A pension bill?

The SPEAKER pro tempore. A pension bill.

The question was taken; and there were—ayes 121, nays 4, answered "present" 37, not voting 190; as follows:

YEAS—121.

Allen, Me.	Esch,	McDowell,	Russell,
Baker,	Fitzgerald, N. Y.	McPherson,	Ryan, N. Y.
Bellamy,	Foss,	Mahon,	Salmon,
Benton,	Gardner, N. J.	Mann,	Shafroth,
Berry,	Gaston,	Marsh,	Shattuc,
Boutell, Ill.	Gibson,	May,	Sheppard,
Bowersock,	Greene, Mass.	Mercer,	Showalter,
Bradley,	Griggs,	Miller,	Smith, H. C.
Brosius,	Grout,	Minor,	Snodgrass,
Brown,	Hamilton,	Mondell,	Spalding,
Brownlow,	Heatwole,	Moon,	Stark,
Brundage,	Hedge,	Needham,	Steele,
Burkett,	Henry, Miss.	Neville,	Stevens, Minn.
Burleson,	Hepburn,	Newlands,	Sulloway,
Cannon,	Hitt,	O'Grady,	Sulzer,
Capron,	Hoffecker,	Olmsted,	Sutherland,
Clayton, Ala.	Hopkins,	Otjen,	Tawney,
Clayton, N. Y.	Jack,	Payne,	Taylor, Ohio
Cochran, Mo.	Jett,	Pierce, Tenn.	Vandiver,
Cooper, Wis.	Jones, Wash.	Pearre,	Van Voorhis,
Cowherd,	Kerr,	Phillips,	Vreeland,
Crumpacker,	King,	Prince,	Warner,
Curtis,	Kitchin,	Quarles,	Waters,
Cushman,	Kluttz,	Ransdell,	Williams, J. R.
Dalzell,	Lacey,	Ray, N. Y.	Williams, W. E.
Davenport, S. A.	Lentz,	Richardson,	Wilson, Idaho
De Armond,	Littlefield,	Ridgely,	Young,
Denny,	Long,	Robb,	Zenor.
Dougherty,	Loving,	Robinson, Ind.	
Eddy,	Lybrand,	Robinson, Nebr.	
Emerson,	McClellan,	Rucker,	

NAYS—4.

Lassiter,	Otey,	Talbert,	Underwood.
Bailey, Tex.	Dayton,	McCall,	Smith, Wm. Alden
Bankhead,	Dinsmore,	Maddox,	Southard,
Barber,	Elliott,	Meyer, La.	Spight,
Bartlett,	Finley,	Morris,	Stallings,
Calderhead,	Gilbert,	Rhea, Va.	Stephens, Tex.
Campbell,	Hull,	Rixey,	Taylor, Ala.
Catchings,	Lanham,	Sherman,	Thomas, Iowa.
Cooney,	Levy,	Sims,	
Cousins,	Little,	Small,	
Cox,	Loud,	Smith, Samuel W.	

NOT VOTING—190.

Acheson,	Daly, N. J.	Johnston,	Rhea, Ky.
Adams,	Davenport, S. W.	Jones, Va.	Riordan,
Adamson,	Davey,	Joy,	Roberts,
Aldrich,	Davidson,	Kahn,	Robertson, La.
Alexander,	Davis,	Ketcham,	Ruppert,
Allen, Ky.	De Graffenreid,	Kleberg,	Rodenberg,
Allen, Miss.	De Vries,	Knox,	Ryan, Pa.
Atwater,	Dick,	Lamb,	Scudder,
Babcock,	Dolliver,	Landis,	Shackleford,
Bailey, Kans.	Dovener,	Lane,	Shelden,
Ball,	Driggs,	Latimer,	Sibley,
Barham,	Driscoll,	Lawrence,	Slayden,
Barney,	Faris,	Lester,	Smith, Ill.
Bartholdt,	Fitzgerald, Mass.	Lewis,	Smith, Ky.
Bell,	Fitzpatrick,	Linney,	Sparkman,
Bingham,	Fleming,	Littauer,	Sperry,
Bishop,	Fletcher,	Livingston,	Sprague,
Boreing,	Fordney,	Lloyd,	Stewart, N. J.
Boutelle, Me.	Foster,	Lorimer,	Stewart, N. Y.
Brantley,	Fowler,	Loudenslager,	Stewart, Wis.
Breazeale,	Fox,	McAleer,	Stokes,
Brenner,	Freer,	McCleary,	Swanson,
Brewer,	Gaines,	McCulloch,	Tate,
Brick,	Gamble,	McLain,	Terry,
Bromwell,	Gardner, Mich.	McRae,	Thayer,
Broussard,	Gayle,	Meekison,	Thomas, N. C.
Bull,	Gill,	Mesick,	Thropp,
Burke, S. Dak.	Gillet, N. Y.	Metcalf,	Tompkins,
Burke, Tex.	Gillett, Mass.	Miers, Ind.	Tongue,
Burleigh,	Glynn,	Moody, Mass.	Turner,
Burnett,	Gordon,	Moody, Oreg.	Underhill,
Burton,	Graft,	Morgan,	Wachter,
Butler,	Graham,	Mudd,	Wadsworth,
Caldwell,	Green, Pa.	Muller,	Wanger,
Carmack,	Griffith,	Naphen,	Watson,
Chanler,	Grosvenor,	Noonan,	Weaver,
Clark, Mo.	Grow,	Norton, Ohio	Weeks,
Clarke, N. H.	Hall,	Norton, S. C.	Weymouth,
Cochrane, N. Y.	Haugen,	Overstreet,	Wheeler, Ky.
Connell,	Hawley,	Packer, Pa.	White,
Cooper, Tex.	Hay,	Parker, N. J.	Williams, Miss.
Corliss,	Hemenway,	Pearce, Mo.	Wilson, N. Y.
Cromer,	Henry, Conn.	Pearson,	Wilson, S. C.
Crowley,	Henry, Tex.	Polk,	Wise,
Crump,	Hill,	Powers,	Wright,
Cummings,	Howard,	Pugh,	Ziegler.
Cusack,	Howell,	Reeder,	
Dahle, Wis.	Jenkins,	Reeves,	

The following pairs were announced:

Until further notice:

Mr. ROBERTS with Mr. NAPHEN.

Mr. PUGH with Mr. TAYLOR of Alabama.

Mr. CRUMP with Mr. CROWLEY.
 Mr. MESICK with Mr. BURKE of Texas.
 Mr. REEDER with Mr. ZIEGLER.
 Mr. SHERMAN with Mr. DRIGGS.
 Mr. MANN with Mr. JETT.
 Mr. WHITE with Mr. HALL.
 Mr. DAYTON with Mr. MEYER of Louisiana.
 Mr. FOWLER with Mr. BARTLETT.
 Mr. STEWART of New Jersey with Mr. MCALEER.
 Mr. SPRAGUE with Mr. RIORDAN.
 Mr. COUSINS with Mr. ALLEN of Mississippi.
 Mr. MORRIS with Mr. McCULLOCH.
 Mr. TAYLER of Ohio with Mr. FOX.
 Mr. BOUTELLE of Maine with Mr. ROBERTSON of Louisiana.
 Mr. SOUTHARD with Mr. NORTON of Ohio.
 Mr. POWERS with Mr. BANKHEAD.
 Mr. BROWNLOW with Mr. CARMACK.
 Mr. KNOX with Mr. HENRY of Texas.
 Mr. JENKINS with Mr. SMITH of Kentucky.
 Mr. WEYMOUTH with Mr. BROUSSARD.
 Mr. BOREING with Mr. FITZPATRICK.
 Mr. DOVENER with Mr. CATCHINGS.
 Mr. DOLLIVER with Mr. CLARK of Missouri.
 Mr. MCCALL with Mr. GAINES.
 Mr. GILLET of New York with Mr. NORTON of South Carolina.
 Mr. BUTLER with Mr. BARBER.
 Mr. GAMBLE with BURNETT.
 Mr. HEMENWAY with Mr. MIERS of Indiana.
 Mr. REEVES with Mr. SPARKMAN.
 Mr. LORIMER with Mr. CUSACK.
 Mr. BARHAM with Mr. TURNER.
 Mr. BISHOP with Mr. CAMPBELL.
 Mr. GARDNER of Michigan with Mr. ATWATER.
 Mr. HULL with Mr. HAY.
 Mr. WANGER with Mr. ADAMSON.
 Mr. METCALF with Mr. WHEELER of Kentucky.
 Mr. WM. ALDEN SMITH with Mr. WILSON of South Carolina.
 Mr. MUDD with Mr. SWANSON, until the 25th.
 Mr. COCHRANE of New York with Mr. DAVIS, until the 26th.
 Mr. HILL with Mr. UNDERHILL, until Wednesday, May 30.
 Mr. BURKE of South Dakota with Mr. THOMAS of North Carolina, until the 31st.
 Mr. WACHTER with Mr. SMALL, until June 5, except on trust bill.

For this day:

Mr. MOODY of Oregon with Mr. GLYNN.
 Mr. CLARKE of New Hampshire with Mr. DINSMORE.
 Mr. WADSWORTH with Mr. CALDWELL.
 Mr. GILLET of Massachusetts with Mr. GAYLE.
 Mr. ALEXANDER with Mr. DE GRAFFENREID.
 Mr. CONNELL with Mr. STANLEY W. DAVENPORT.
 Mr. LAWRENCE with Mr. LATIMER.
 Mr. BAILEY of Kansas with Mr. FITZGERALD of Massachusetts.
 Mr. BARTHOLDT with Mr. BRENNER.
 Mr. JOY with Mr. SHACKLEFORD.
 Mr. BRICK with Mr. CUMMINGS.
 Mr. BURTON with Mr. COOPER of Texas.
 Mr. DAHLE of Wisconsin with Mr. KLEBERG.
 Mr. KAHN with Mr. JOHNSTON.
 Mr. HENRY of Connecticut with Mr. JONES of Virginia.
 Mr. GROW with Mr. HOWARD.
 Mr. GILL with Mr. GRIFFITH.
 Mr. GRAFF with Mr. LAMB.
 Mr. BINGHAM with Mr. FOSTER.
 Mr. FARIS with Mr. FLEMING.
 Mr. ACHESON with Mr. DAVEY.
 Mr. MCCLEARY with Mr. MCRAE.
 Mr. MOODY of Massachusetts with Mr. McLAIN.
 Mr. MORGAN with Mr. NOONAN.
 Mr. OVERSTREET with Mr. RHEA of Kentucky.
 Mr. RODENBERG with Mr. SLAYDEN.
 Mr. SHELDEN with Mr. TERRY.
 Mr. ADAMS with Mr. LESTER.
 Mr. KETCHAM with Mr. MULLER.
 Mr. PACKER of Pennsylvania with Mr. POLK.
 Mr. BARNEY with Mr. BRANTLEY.
 Mr. HAUGEN with Mr. ALLEN of Kentucky.
 Mr. BABCOCK with Mr. BALL.
 Mr. GRAHAM with Mr. LIVINGSTON.
 Mr. FORDNEY with Mr. BREAZEALE.
 Mr. SMITH of Illinois with Mr. WILLIAMS of Mississippi.
 Mr. BAKER with Mr. RYAN of Pennsylvania.
 Mr. BURLEIGH with Mr. TATE.
 Mr. ALDRICH with Mr. BREWER.
 Mr. BULL with Mr. STALLINGS.
 Mr. LOUDENSLAGER with Mr. LLOYD.
 Mr. LANE with Mr. SCUDDER.
 Mr. LANDIS with Mr. DE VRIES.

Mr. DRISCOLL with Mr. STOKES.
 Mr. LITTAUER with Mr. CHANLER.
 Mr. STEWART of New York with Mr. WILSON of New York.
 Mr. TOMPKINS with Mr. RUPPERT.
 Mr. LINNEY with Mr. LEWIS.
 Mr. HOWELL with Mr. DALY of New Jersey.
 Mr. GROSVENOR with Mr. GREEN of Pennsylvania.
 Mr. THOMAS of Iowa. Mr. Speaker, I would like to inquire whether the gentleman from Pennsylvania, Mr. GREEN, has voted. The SPEAKER pro tempore. He has not.
 Mr. THOMAS of Iowa. I am paired with him, and I desire to withdraw my vote and answer "present."
 Mr. THOMAS's name was called, and he answered "present."
 Mr. BARBER. Mr. Speaker, I am paired with the gentleman from Pennsylvania, Mr. BUTLER, and I desire to withdraw my vote and be marked "present."
 Mr. BARBER's name was called, and he answered "present."
 Mr. SHERMAN. Mr. Speaker, I am paired with the gentleman from New York, Mr. DRIGGS, and I wish to be marked as "present."
 Mr. SHERMAN's name was called, and he answered "present."
 Mr. HULL. Mr. Speaker, I would like to inquire if the gentleman from Virginia, Mr. HAY, has voted?
 The SPEAKER pro tempore. He has not.
 Mr. HULL. Then I desire to withdraw my vote and answer "present."
 Mr. HULL's name was again called, and he answered "present."
 Mr. CAMPBELL. Mr. Speaker, I desire to withdraw my vote and answer "present," as I am paired with the gentleman from Michigan, Mr. BISMOP.
 Mr. CAMPBELL's name was again called, and he answered "present."
 Mr. SMALL. I desire to ask, Mr. Speaker, if the gentleman from Maryland, Mr. WACHTER, has voted?
 The SPEAKER pro tempore. He has not.
 Mr. SMALL. Then I desire to withdraw my vote and be marked "present."
 Mr. SMALL's name was again called, and he answered "present."
 The SPEAKER pro tempore. Upon this question the yeas are 122, the nays 4, answering "present" 36, an aggregate of 162—not a quorum.
 Mr. SULLOWAY. Mr. Speaker, I move that the House do now adjourn.
 The SPEAKER pro tempore. All those in favor of seconding that motion will rise. Evidently a sufficient number, and the motion is seconded.
 The motion was then agreed to; and accordingly (at 4 o'clock and 47 minutes) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the chairman of the Industrial Commission, transmitting a report on labor legislation, was taken from the Speaker's table, referred to the Committee on Labor, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CORLISS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 10302) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893—reported the same with amendment, accompanied by a report (No. 1757), which said bill and report were referred to the House Calendar.

Mr. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 4915) to amend the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, reported the same with amendment, accompanied by a report (No. 1758); which said bill and report were referred to the House Calendar.

Mr. BURTON, from the Committee on Rivers and Harbors, reported the bill of the House (H. R. 11876) authorizing and regulating the construction and operation of a water-power canal at Sault Ste. Marie, Mich., accompanied by a report (No. 1759); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEWART of Wisconsin, from the Committee on Indian Affairs, to which was referred the joint resolution of the House (H. J. Res. 246) to authorize the members of the Prairie band of Pottawatomie Indians in Kansas to purchase lands in Wisconsin

or elsewhere, and for other purposes, reported the same without amendment, accompanied by a report (No. 1760); which said resolution and report were referred to the House Calendar.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11821) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes, reported the same with amendment, accompanied by a report (No. 1762); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes, reported the same with amendment, accompanied by a report (No. 1763); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8106) granting a pension to Olivia Donathy, reported the same with amendment, accompanied by a report (No. 1716); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9165) to increase the pension of Horace L. Stiles, reported the same with amendment, accompanied by a report (No. 1717); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11680) granting a pension to Richard Myers, reported the same with amendment, accompanied by a report (No. 1718); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10021) granting an increase of pension to John R. Robinson, reported the same without amendment, accompanied by a report (No. 1719); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1604) for the benefit of Joel H. Hallowell, of Covington, Ky., reported the same with amendment, accompanied by a report (No. 1720); which said bill and report were referred to the Private Calendar.

Mr. HOFFECKER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2954) granting an increase of pension to Elam Kirk, reported the same without amendment, accompanied by a report (No. 1721); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4105) granting an increase of pension to John Coombs, reported the same without amendment, accompanied by a report (No. 1722); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2110) restoring the pension of John R. McCoy, reported the same without amendment, accompanied by a report (No. 1723); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2753) granting an increase of pension to David H. Morey, reported the same without amendment, accompanied by a report (No. 1724); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2819) granting an increase of pension to Henry Van Gelder, reported the same without amendment, accompanied by a report (No. 1725); which said bill and report were referred to the Private Calendar.

Mr. HOFFECKER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3890) granting an increase of pension to Americus V. Rice, reported the same without amendment, accompanied by a report (No. 1726); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2488) granting an increase of pension to Susan Daniels, reported the same without amendment, accompanied by a report (No. 1727); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1246) granting an increase of pension to Charles A. Perkins, reported the same without amendment, accompanied by a report (No. 1728); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3342) granting a pension to Samuel Dornon, reported the same with amendment, accompanied by a report (No. 1729); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3624) granting a pension to Henry K. Davis, reported the same without amendment, accompanied by a report (No. 1730); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3137) granting an increase of pension to Lunsford Ellis, reported the same without amendment, accompanied by a report (No. 1731); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1280) granting an increase of pension to Alfred Hering, reported the same without amendment, accompanied by a report (No. 1732); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1282) granting an increase of pension to Thomas G. Huff, reported the same without amendment, accompanied by a report (No. 1733); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 946) granting an increase of pension to Stephen Johnson, reported the same without amendment, accompanied by a report (No. 1734); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2305) granting a pension to Eliza D. Pennypacker, reported the same without amendment, accompanied by a report (No. 1735); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1463) granting an increase of pension to Jasper Pitts, reported the same without amendment, accompanied by a report (No. 1736); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 952) granting an increase of pension to Francis M. Porter, reported the same without amendment, accompanied by a report (No. 1737); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2827) granting an increase of pension to Cornelius Shroder, reported the same without amendment, accompanied by a report (No. 1738); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1240) granting a pension to Samuel Nichols, reported the same without amendment, accompanied by a report (No. 1739); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3522) granting an increase of pension to Eben E. Pushor, reported the same without amendment, accompanied by a report (No. 1740); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3842) restoring the pension of Augustus R. Collins, alias Rhenault A. Rollins, reported the same with amendment, accompanied by a report (No. 1741); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9745) granting a pension to Susan Sidenbender, of Medix Run, Pa., reported the same with amendment, accompanied by a report (No. 1742); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11508) granting a pension to George T. Boulding, reported the same without amendment, accompanied by a report (No. 1743); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2166) granting a pension to Charles A. D. Wiswell, reported the same with amendment, accompanied by a report (No. 1744); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1627) granting an increase of pension to George B. Hayden, reported the same without amendment, accompanied by a report (No. 1745); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4420) granting an increase of pension to James Irvine, reported the same without

amendment, accompanied by a report (No. 1746); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4288) granting an increase of pension to Elizabeth Brooks, reported the same without amendment, accompanied by a report (No. 1747); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3079) granting an increase of pension to William Oliver, reported the same without amendment, accompanied by a report (No. 1748); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 823) granting an increase of pension to Brice Davis, reported the same without amendment, accompanied by a report (No. 1749); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2333) granting an increase of pension to James Osborn, reported the same without amendment, accompanied by a report (No. 1750); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2767) granting a pension to Nellie L. Parsons, reported the same without amendment, accompanied by a report (No. 1751); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3954) granting an increase of pension to Caroline Z. Repetti, reported the same without amendment, accompanied by a report (No. 1752); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3991) granting an increase of pension to Sylvester Solomon, reported the same without amendment, accompanied by a report (No. 1753); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11768) granting an increase of pension to John Walker, reported the same without amendment, accompanied by a report (No. 1754); which said bill and report were referred to the Private Calendar.

Mr. BOUTELL of Illinois, from the Committee on Claims, to which was referred the bill of the House (H. R. 11738) for the relief of William L. Orr, reported the same without amendment, accompanied by a report (No. 1755); which said bill and report were referred to the Private Calendar.

Mr. RIXEY, from the Committee on Claims, to which was referred the bill of the Senate (S. 3554) for the relief of W. T. Scott and others, reported the same without amendment, accompanied by a report (No. 1756); which said bill and report were referred to the Private Calendar.

Mr. BAILEY of Kansas, from the Committee on Claims, to which was referred the bill of the Senate (S. 2245) directing the issue of a duplicate of a lost check drawn by William H. Comegys, major and paymaster, United States Army, in favor of George P. White, reported the same with amendment, accompanied by a report (No. 1761); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BURTON, from the Committee on Rivers and Harbors: A bill (H. R. 11876) authorizing and regulating the construction and operation of a water-power canal at Sault Ste. Marie, Mich.—to the Union Calendar.

By Mr. McCLELLAN: A bill (H. R. 11877) to incorporate the National Army Relief Society—to the Committee on the District of Columbia.

By Mr. LITTLE: A bill (H. R. 11878) to provide for the registration of pharmacists in the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 11879) to establish a mint of the United States at El Paso, in the State of Texas—to the Committee on Coinage, Weights, and Measures.

By Mr. JENKINS: A bill (H. R. 11880) to amend an act for the protection of fish in the District of Columbia, for the maintenance of a permanent spawning ground in the Potomac River in said District, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 11881) to amend an act entitled "An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons, in the District of Columbia"—to the Committee on the District of Columbia.

By Mr. SMALL: A bill (H. R. 11882) to provide for terms of the United States district courts at Greenville, N. C.—to the Committee on the Judiciary.

By Mr. JACK: A bill (H. R. 11883) to extend the free-delivery system of the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

By Mr. THROPP: A bill (H. R. 11884) for a public building at Johnstown, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. SPALDING: A bill (H. R. 11900) granting a right of way to the Jamestown and Northern Railway through the Devils Lake Indian Reservation, in the State of North Dakota—to the Committee on Indian Affairs.

By Mr. FOSS: A bill (H. R. 11903) providing for the restoration of certain officers to the active list of the Navy—to the Committee on Naval Affairs.

By Mr. LENTZ: A concurrent resolution (H. C. Res. 53) authorizing the printing of 30,000 copies of the testimony and arguments of counsel as to conduct of United States Army in Idaho, under House resolution No. 31, Fifty-sixth Congress—to the Committee on Printing.

By Mr. LEVY: A resolution (H. Res. 280) directing the Secretary of the Treasury to defer further purchases of bonds and advocating the horizontal reduction of war-revenue taxes—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BRUNDIDGE: A bill (H. R. 11885) for the relief of the estate of T. H. Goodloe, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11886) for the relief of heirs of A. J. Howard and J. H. Spivey—to the Committee on War Claims.

By Mr. FARIS: A bill (H. R. 11887) granting an increase of pension to Henry C. Coffin—to the Committee on Invalid Pensions.

By Mr. HENRY of Mississippi: A bill (H. R. 11888) for the relief of the estate of Dr. O. L. Dewees, deceased—to the Committee on War Claims.

By Mr. McLAIN: A bill (H. R. 11889) for the relief of Mrs. Louisa M. Bennett, Miss Kate P. Bennett, Mrs. Mary Louisa Ogden, and Calvin S. Bennett—to the Committee on War Claims.

By Mr. MEYER of Louisiana: A bill (H. R. 11890) for the relief of the estate of Sosthene Donerfbourg, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11891) for the relief of the heirs of Laurent Millaudon, deceased—to the Committee on Claims.

By Mr. MILLER: A bill (H. R. 11892) granting an increase of pension to W. T. Parrham—to the Committee on Invalid Pensions.

By Mr. NEVILLE: A bill (H. R. 11893) granting a pension to Anna Ellison—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 11894) granting an increase of pension to Waldo W. Palmer—to the Committee on Invalid Pensions.

By Mr. SNODGRASS: A bill (H. R. 11895) for relief of the heirs at law of the late John B. Baird—to the Committee on War Claims.

Also, a bill (H. R. 11896) granting a pension to Nancy Bowman—to the Committee on Invalid Pensions.

By Mr. TATE: A bill (H. R. 11897) to pension Hester A. Furr—to the Committee on Pensions.

Also, a bill (H. R. 11898) for the relief of Gilbert E. L. Falls—to the Committee on War Claims.

Also, a bill (H. R. 11899) for the relief of New Hope Baptist Church, of Bartow County, Ga.—to the Committee on War Claims.

By Mr. SALMON: A bill (H. R. 11901) granting a pension to Mark Fickens—to the Committee on Pensions.

Also, a bill (H. R. 11902) granting a pension to William K. Hoffman—to the Committee on Invalid Pensions.

By Mr. BRICK: A resolution (H. Res. 379) authorizing the Doorkeeper of the House of Representatives to retain on the rolls until the second session of the Fifty-sixth Congress the 14 additional folders—to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petitions of Woman's Christian Temperance unions, and Mothers' Club of Waynesburg, Pa., urging the enactment of the anti-canteen bill—to the Committee on Military Affairs.

Also, petition of Forward Grange, No. 1003, Patrons of Husbandry, of Elizabeth, Pa., in favor of the Grout oleomargarine bill—to the Committee on Agriculture.

By Mr. BURKETT: Petition of W. W. Calkins and other citizens of Ashland, Nebr., in opposition to the manufacture and sale of oleomargarine—to the Committee on Agriculture.

By Mr. BURTON: Petition of the School of Pharmacy, Cleveland, Ohio, for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. DEVRIES: Petitions of the Methodist Episcopal Church, Congregational Church, Christian Church, and Christian Endeavor, Epworth League, and Woman's Christian Temperance Union, of Oroville, Cal., and Methodist Episcopal Church of Linden, Cal., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, post exchanges, etc.—to the Committee on Military Affairs.

By Mr. DRISCOLL: Petition of the New York State Farmers' Alliance and Industrial Union, to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

Also, petition of Charles G. McIlwain and other druggists of Syracuse, N. Y., for the repeal of the stamp tax on proprietary medicines, perfumery, etc.—to the Committee on Ways and Means.

By Mr. FITZGERALD of Massachusetts: Petition of Sister Louise, for an appropriation to build and equip an addition to Providence Hospital to be used for persons unable to pay—to the Committee on Appropriations.

By Mr. HAMILTON: Petition of Fitzgerald Post, No. 125, of Hastings, Mich., Grand Army of the Republic, in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. HILL: Petitions of J. A. Riggs and others, of Norwalk, Conn., and John F. Cannon, of Westport, Conn., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

By Mr. LANHAM: Petition of citizens of Hood County, Tex., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. LAWRENCE: Petitions of the Baptist Church of West Springfield, Mass., and 246 citizens of Holyoke, Mass., asking for the passage of the anti-canteen bill, prohibiting the sale of liquors on premises used for military purposes—to the Committee on Military Affairs.

Also, petition of citizens of Holyoke, Mass., for the repeal of the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. LENTZ: Paper to accompany House bill No. 11389, granting an honorable discharge to James A. Smith—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 11387, to correct the military record of Isaac I. Kennard—to the Committee on Military Affairs.

Also, paper to accompany House bill No. 9417, granting a pension to Anna L. Collins—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 10122, granting an increase of pension to Jeremiah Vankirk—to the Committee on Pensions.

By Mr. NEEDHAM: Petition of the San Antonio Fruit Exchange, Pomona, Cal., in favor of Senate bill No. 1439, relating to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. NEVILLE: Affidavits of C. F. Englehaupt, H. R. Henry, T. V. Norvell, and J. P. Gilligan to accompany House bill No. 11560, granting a pension to Ralph D. Parsons—to the Committee on Invalid Pensions.

By Mr. PACKER of Pennsylvania: Petitions of the Woman's Christian Temperance unions of Ulysses and Covington, Pa., and Patriotic Order of the Sons of America of Covington, urging the enactment of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. SIBLEY: Petitions of the Woman's Christian Temperance Union, First Baptist Church, Methodist Episcopal Church, First Presbyterian Church, Free Methodist Church, and African Methodist Episcopal Church, of Bradford, Pa., urging the enactment of the anti-canteen bill—to the Committee on Military Affairs.

By Mr. WM. ALDEN SMITH: Petition of D. W. Elferdink, of Grand Rapids, Mich., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. THROPP: Petitions of Pleasant Valley Methodist Episcopal Church, of Allegheny, Pa.; Methodist Episcopal Church of Somerset, Pa.; United Presbyterian Church, Main Street Baptist Church, and First Baptist Church, of Johnstown, Pa., urging the passage of the Bowersock bill preventing the sale of liquor upon premises used for military purposes—to the Committee on Military Affairs.

By Mr. JAMES R. WILLIAMS: Paper to accompany House bill to remove the charge of desertion from the record of William Ridge—to the Committee on Military Affairs.

SENATE.

SATURDAY, May 26, 1900.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. WOLCOTT. I ask that the further reading of the Journal be dispensed with.

Mr. ALLEN. I object.

The PRESIDENT pro tempore. Objection is made.

The Secretary resumed and concluded the reading of the Journal; and it was approved.

AFFAIRS IN THE PHILIPPINE ISLANDS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 21st ultimo, a report on affairs in the Philippine Islands, so far as it pertains to Porto Rico, from Brig. Gen. George W. Davis, military governor, etc.; which, with the accompanying paper, was referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed.

INDUSTRIAL COMMISSION.

The PRESIDENT pro tempore laid before the Senate the following communication; which was read:

BUTTE CITY, MONT., May 20, 1900.

DEAR SIR: I find that the condition of my private business affairs will not permit my attendance at the meetings of the commission for some months to come, and I therefore deem it proper to tender my resignation, which I now do.

Sincerely, yours,

LEE MANTLE.

Hon. JAMES H. KYLE,

Chairman Industrial Commission, Washington, D. C.

The PRESIDENT pro tempore. In the absence of objection, the resignation will be accepted. The Chair appoints in the place of Mr. Mantle the junior Senator from California, THOMAS R. BARD.

POST-OFFICE APPROPRIATION BILL.

Mr. WOLCOTT submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10301) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1901, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13 and 20.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 17, 18, and 19; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "For printing and binding a revised edition of the Postal Laws and Regulations, such edition to be prepared under the direction of the Postmaster-General and printed at the Government Printing Office; and the Postmaster-General may authorize the sale of copies of such edition not needed for the use of the Department to individuals at the cost thereof and 10 per cent added, the proceeds of such sales to be deposited in the Treasury as part of the postal revenues, \$30,000, or so much thereof as may be necessary, to be immediately available;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: Page 18, line 2, insert after the word "of," following the word "utility," the words "all systems of;" also strike out the word "mail" in line 2. Same page, line 3, insert after the word "tubes" the words "for the transmission of mail;" also, same line, insert after the word "maps" the following: "and any estimates and proposals as to cost of construction." Same page, lines 7 and 8, strike out the words "ten thousand dollars;" and in line 9, after the word "patents," add the words "ten thousand dollars;" so as to read:

"For the investigation by the Postmaster-General of the cost of construction, operation, and utility of all systems of pneumatic tubes for the transmission of mail, including full details and maps, and any estimates and proposals as to cost of construction, as well as the cost of stations and their operation, and all facts bearing upon the use of said tubes in connection with the mail service, to enable Congress to determine whether the service should be owned, leased, extended, or discontinued by the Government; also the cost at which the Government may acquire existing plants or necessary patents, \$10,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: Page 25, line 24, strike out all after the word "criminals;" and on page 26 strike out all of lines 1, 2, 3, 4, 5, 6, and 7; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: Add at the end of said amendment (page 28) the following: "of which 800 copies shall be for the use of the House of Representatives and 200 copies for the use of the Senate, and the necessary amount therefor is hereby appropriated;" and the Senate agree to the same.

On amendment numbered 15 the committee of conference have been unable to agree.

EDWARD O. WOLCOTT,
WILLIAM E. CHANDLER,
Managers on the part of the Senate.

E. F. LOUD,
J. J. GARDNER,
Managers on the part of the House.

Mr. WOLCOTT. I ask for the adoption of the report.

The report was agreed to.

Mr. WOLCOTT. I move that the Senate still further insist on